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DIPLOMACY, DEMOCRACY, SECURITY: TWO CENTURIES IN CONTRAST

The Problem

THE problems facing the diplomat in the twentieth century are giving rise to questions that concern the future of our democracy, our culture, even of man himself. A volume of literature is growing on the question whether democracy will be able to deal successfully with these problems. Impetus to the discussion was given in the pro's and con's of debate about the manner in which the United States became involved in the Second World War. Political leaders promised in the election campaign of 1940 that they would keep the country out of war if elected to office, only to dismiss these promises later as campaign oratory. The failure or the refusal of President Roosevelt to take the American people into his confidence during 1940 and 1941 by informing them about what was actually going on has been defended by some historians as that kind of justifiable deception practiced by a physician for the good of his patient. It was openly acknowledged that foreign policy could not be discussed publicly, only the very naïve and innocent believing with Woodrow Wilson that diplomacy should "proceed always frankly and in the public view." Again and again the assertion was made that totalitarian governments have a great advantage over democratic ones in their unhampered freedom to formulate and execute foreign policy.

It is also being said that our diplomats lack the skills of their predecessors; and a longing is expressed for the return of those happier days in the past when diplomats were men of great intelligence and wide experience, able to handle with efficiency and success the great tasks assigned to them by their govern-

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ments. Little consideration is given to the possible explanation that other reasons than superior intelligence and richer experience may account for their success; and left out of reckoning are the many instances when such diplomats failed in their assignments.

The diplomat of our time faces greater difficulties than his fortunate predecessor. Foreign policy now involves military and economic questions of so complex and technical a character that neither the masses of people nor all members of Congress can comprehend them. No longer is it possible for an ambassador, however able, to keep himself informed on all phases of policy. At his side there must be a large staff of experienced experts to advise him—economists, commercial and military attachés, and area specialists.

Another complicating factor is the increased tempo of activity. Critical situations arise daily to call for immediate decisions. At times decisions have to be made before our vaunted methods of communication can speed home the information that is needed. So closely connected with matters of foreign policy is the security of our country that nervous people in Congress or outside get quickly excited. A Pearl Harbor attack with atomic weapons can well have a greater success than one with conventional arms. The pleas of the Department of State to keep foreign policy out of political debate are easily disregarded, for Congressmen of greatest integrity and sincerity find themselves on occasion under a patriotic compulsion to speak when convinced that the security of the country is at stake. Some self-appointed patriots do not hesitate to base a criticism or a recommendation of policy on an incomplete radio or newspaper account of speeches made in Paris or London. Most unfortunate are the consequences when a concern for the country's security seems to be overshadowed by a concern for one's immediate political future, and the real objective is to stir up an emotional tide better calculated to lift a man into office than to remove difficulties involving the country's fundamental interest. Whatever the motives of some political leaders, it happens all too frequently that speeches are made without the slightest regard to the ill will that may result in remote corners of the globe among peoples whose good will is essential to American security. Risks like

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these multiply in an election year, when foreign governments have to be cautioned by American ambassadors against taking campaign oratory too seriously. With a House of Representatives elected every two years in the United States, a foreign policy has little time to justify itself with voting citizens while our friends and allies find themselves in perpetual bewilderment regarding what America will do next.

In a democracy, diplomacy is also handicapped by short-range economic interests able to establish an immediate or remote connection between the advantages they seek and the national security. Here the tariff plays a useful rôle. Although Britain and Denmark are formal allies of the United States in NATO for maintaining peace and security, and although in Article II of the North Atlantic Treaty Organization the signatory states promised that they "will seek to eliminate conflict in their international policies and will encourage collaboration between any or all of them," the insistent demands of local economic interests in the United States have led to tariffs against Danish cheese and English bicycles. Britain and Denmark may well wonder whether Americans regard them as allies working in coöperation with us in a great international cause or as commercial rivals in a competition that we must win at all costs. At the present moment some Americans are finding it hard to determine whether Japan is to be treated as a land whose friendship and support are essential against communism in the Far East or whether Japan is a country whose textiles and other manufactures must be kept out of American markets even if the effect is to drive her into the arms of the Communists.

These are only a few of the difficulties facing the United States. Other countries face similar problems. This situation is far wide of the goal those who worked for the establishment of democratic principles in pre-democratic times expected to reach. Such people hoped that most problems, whether domestic or foreign, would find a relatively easy solution when the general will supplanted the arbitrary will of a select few. The situation today is a defeat also for those who entertained the hope a century ago that mass education would make people intelligent and coöperative, their policies constructive. If anything, it

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seems that international relations have become more difficult after these great innovations; certainly they seem to be worse than they were when schools and universities began the study of such relations in the hope of improving them. Our perplexing situation is anything but the fulfilment of hope for those who believed that a solution of international problems would be facilitated by a recognition of laboring classes in our society. Indeed, the situation is equally a defeat for those who believed that religion would enable Christian countries to get along better with one another.

The simple truth is that the most serious problems of international relations throughout the centuries have been those between countries that have regarded themselves as Christian, enlightened and, in our time, democratic. These countries have fought the most devastating wars, and have invented war's most dreaded weapons despite oft-repeated promises of steps to rid the world of the horror of war. Those promises may be near the time of involuntary fulfilment now that the major Powers have weapons for eliminating each other. Often one gets the uneasy feeling that intelligence has proved to be a better servant of war than of peace.

Differences Between the Nineteenth and Twentieth Centuries

Writers who have persuaded themselves that the diplomats of the nineteeth century were abler than their twentieth-century counterparts should take a closer look at history. Their view finds support in the selection of instances of successful diplomacy during the nineteenth century and in the disregard of the wars and the diplomatic failures of the eighteenth. There is an uncritical assumption that the success of the diplomats selected was due to superior talent and broader experience. Omitted from consideration is the fact that successful diplomacy was relatively simple during the past century, when a number of safety valves existed to keep economic pressures from reaching the point where they might explode into open war. The nineteenth century was a period when economic problems could be solved without reliance on diplomacy or arms. In the world beyond the borders of European states were found unlimited economic possibilities

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for solving European problems. The lands and resources of the world became available to European use as never before. Such were these possibilities abroad that people believed economic laws could operate with a minimum of regulatory intervention of government.

It was easy for diplomats to be successful in a world that solved the most serious problems before they became acute. These men appear to be intellectual giants to our generation only because they stand out against a background of relatively small problems, whereas, in the twentieth century, diplomats of equal ability tend to appear small against a background of overwhelming and virtually insoluble problems. Our estimate of diplomats is largely in the nature of an ocular illusion. It is also true that the diplomats of the last century were less hampered by politics and by public opinion than are those of today.

It is of the first importance to take note of the differences between the two centuries that are being contrasted. By understanding these differences we shall learn much to help us to an understanding of the problems facing us in the middle of the twentieth century. Furthermore, the nineteenth century offers some clues as to how we might approach the fateful problems of our day.

The overshadowing difference between the two centuries so far as Europe is concerned is that in the decades between 1815 and 1914 Europeans enjoyed the greatest military and economic security in their long and troubled history. It was a time when Europeans got along without any of those devastating continental and world-wide wars that were normal in earlier history and have become normal again in our day. To be sure, it was not a time of perfect peace. There were wars, but these were local conflicts as their names indicate, limited in duration and confined in area. They had little of the long-range revolutionary effects which history has associated with earlier and later wars.

During most of the century after 1815 no one country was strong enough to dominate or to threaten to dominate the continent and consequently to force other countries to devote their attention and their resources to preparing for war by building up armies and navies and by forming powerful military

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alliances. In this one very important respect governments did not have the great preoccupation with military security that forced them into regulating the lives of men and their economies. Here is the basic differences between our century and the earlier one.

The disappearance of the fear of aggression was a great liberating factor in European history as the century was to show. As the decades went slowly by after the defeat of Napoleon and men acquired a sense of security against threatening aggression, from their minds and from their parliamentary deliberations there gradually disappeared those fears that for generations had dictated the foreign and domestic policies of the mercantilist state, which had to be kept strong in both the military and economic sense in order to meet attack and competition. As men lost these fears, they discovered a freedom to employ their time and to expend their wealth for purposes other than war. The eighteenth-century dreams of human emancipation finally had a chance to find fulfilment in institutional form.

During this same century Europeans experienced an economic security unknown before or since. Prior to the nineteenth century, European history had recorded a famine about every ten years, a record that had caused Malthus to hail the arrival of the nineteenth century with direful forecasts of war, famine and disease because of the inability of European lands to produce food in quantities sufficient to maintain their expanding populations. Contrary to these gloomy predictions, the nineteenth century was to see the virtual elimination of famine; more astonishingly it saw a rising standard of living while the population of Europe more than doubled itself.

There were areas in Europe where economic distress continued or where political oppression made life intolerable. Here the nineteenth century had another safety valve. Distant lands of the world offered asylum on a scale that permitted the greatest mass movement in history, when 66 million people left Europe. One of the advantages of the century was the opportunity given people to move. They were welcome in many lands which needed their labor. One of the striking features of the century was the perennial discussion as to what foreign land in America

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or Asia was the land of promise and of opportunity, a feature that has disappeared from the world of our day.

By conferring on Europeans this comforting sense of security, military and economic, the nineteenth century became the great period of emancipation for man. Serfs and slaves were liberated; men's minds were delivered from ignorance and superstition through mass education and through the freedom of science and philosophy to think what they desired about man and his universe; men were freed from restraints on their economic activities as the undemocratic mercantilist state abandoned the practice of defining the ends of government and of directing affairs to those ends; Jew and Catholic were emancipated from the civil disabilities that earlier times had imposed upon them; through the extension of the franchise masses of men were liberated from the authority of others and entrusted for the first time with a say concerning that part of their destinies subject to the human will. In a very real sense the European world had become safe for democracy.

This new sense of security and this new freedom came about as the result of a happy coincidence of events and factors rather than as the result of men's planning. The history of the century has many monuments to the essential decency and nobility of men who knew themselves to be secure. By contrast, the twentieth century contains the ugliest monuments in history to record the brutality of men who had become insecure. Prior to the nineteenth century, people were also insecure and lived in a kind of perpetual emergency in which fear of famine and of war was the preoccupation of their minds. These insecurities were such that state action was required in order to deal with them. That necessity led to centralization of authority in the hands of a few who assumed full responsibility for defending the national interest. To Cardinal Richelieu has been ascribed the assertion that the security of the nation is endangered when the councilors of the king exceed four in number. And it is of interest that the Cardinal also had the same slogan as Hitler, namely, that the common good must take precedence over the good of the individual. In times of insecurity it seems that the individual can have little or no liberty; he and his activities

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have to be fitted into a plan for keeping the state ready to meet any attack or competition.

For Europeans the nineteenth century was the time when democracy became an institutional reality and was nurtured into strength. This period of history says, in effect, that men can become free when they are secure. This truth has been vaguely recognized in the corollary of the somewhat trite statement that in times of crisis individuals should be allowed only that measure of freedom that does not endanger the security of the state; the greater the security of the state, the more freedom may men have. Adam Smith and other *laissez-faire* economists found it necessary to admit that economic freedom had to be qualified in the event of a war threatening the existence of the state.

If democracy and other liberties depend in this fashion and in this degree upon a sense of security, it naturally follows that democracy should face peculiar difficulties in a time full of crises threatening that security. This is what we have been seeing in the world since 1920. Just as restrictions on the freedom of individuals found justification in the existence of threats to the public interest in the era of mercantilism, so in our time the threats to national security lead to growing interference with the liberties men acquired during the past century. Obviously, there has been no abolition of these liberties, for the freedoms of of men have constitutional anchors and cannot be easily taken away. Yet restrictions are occurring in the name of national security, a phrase in frequent use today. By means of loyalty tests governments hope to reconcile the freedom of individuals with the security of the state, only the loyal having the right to be completely free.

This dilemma of freedom and security is a most serious one. On occasion one has the uneasy feeling that the security of the West would be easier to maintain if the twentieth century had been preceded by any century but the nineteenth. One cannot escape the fact that the freedoms that became traditional during the last century stand in a kind of opposition to the policies demanded by national security in the twentieth. The frequent invocation of the word "security" in our day is an omen of ill for the future of our freedoms.

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The International Base of Democracy

The relative peace and security of the nineteenth century were founded on a base that was international. The defeat of Napoleon in 1815 left Europe in a situation where no country was strong enough to dominate the continent and thus to constitute a threat to other nations. France had shown such remarkable powers of recovery during the wars of the Revolution and of Napoleon that an alliance was formed in 1815 to prevent a renewal of the French threat to the peace and repose of Europe. This precautionary measure was abandoned within a few years, England being convinced by 1818 that it was no longer necessary. Britain's moated island found it possible to maintain security by a policy of isolation and non-commitment. As the years went by, it became less and less necessary to be concerned about armies and navies, about military budgets and alliances; it became less necessary to regulate the activities of men toward the goal of a strong state ready to meet any aggressor. Parliamentary bodies were free to deal with other issues than national security and to take up at last those subjects placed on the agenda of their minds by generations of dreaming men—extension of the franchise, abolition of slavery, factory legislation, *laissez faire*, legal toleration of Jew and Catholic, freedom of trade, the liberation of colonies, emigration, and so on. It seems as though men became generous and tolerant toward their fellows as they felt themselves to be secure.

This feeling of military security lasted until Germany became unified and accumulated the economic and military power that was to revive the ancient fear that the continent might be dominated by a single state. Reviving insecurity brought back, *mutatis mutandis*, what had been more or less the standard practice of earlier times in Europe for meeting the fear of aggression. In 1914 Europe returned to normalcy.

The economic security of Europe in the nineteenth century rested also in large measure on the internationalization of the European economy. With the coming of the industrial revolution Europeans curtailed agricultural production, preferring to devote themselves to the manufacture of goods that could be exchanged in lands near and far for the food and raw materials

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needed by the growing appetites of multiplying men and machines. Commerce expanded rapidly as high tariffs and other restrictions on trade were found to be contrary to the national interest, increasingly defined in economic terms by men of business. Agreements for lower tariffs and other international commercial arrangements made it possible for goods to move from country to country with a new freedom. Food imports rose steeply while agricultural production in European countries declined. The population grew, people gathered into cities and worked in factories; despite the greater number of people in Western Europe, the standard of living went up, with people enjoying the best economic conditions of their history.

Where men suffered from economic distress or political oppression, they could migrate, needing only to pack their few belongings in a carpetbag and to take passage to whatever country they believed to be the land of opportunity. By admitting 36 millions of Europeans, the United States made a great contribution to European security. Never were national borders so little obstructive of the free movement of men and of goods as in the nineteenth century. Here one had something approaching a real economic internationalism.

The depression of the 1870's, caused essentially by the inability of European countries to consume the goods being produced in ever larger quantity by their new industries, led to a serious economic crisis. To protect home markets against foreign dumping, nations revived policies of high tariffs; to protect their overseas markets in Africa and Asia, it became necessary to occupy and annex territories. These policies were far from adequate as measures for disposing of unconsumed surpluses, for which new markets had to be found. Overseas trade now underwent a huge expansion, merchant marines rapidly enlarged to keep pace with the quantities of goods being imported and exported. From the economic point of view this expansion of European commerce was of far greater significance to the European economy than was the more exciting and dramatic seizure of colonies so attractive to writers of the period.

In these ways a broad base, colonial and commercial, was placed under the European economy. The continent's factories

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crowded cities, growing population, high standard of living, and even some of the culture and basic liberties of the people rested heavily on this international foundation of commerce and empire, of peace and security. It should be noted, however, that this security was not extended to the people in the colonies and to other people overseas. Here the emphasis is on Europe. What is of prime importance to European history is the fact that Europe had found in faraway lands the long-desired solution of age-old problems of economic security. No other solution had been found possible.

This economic structure housing European security was a fragile one. It was not internationally organized. For the strength it had it depended on narrow lines of tandem ships moving over great marine distances with cargoes of manufactured goods from Europe to be exchanged for indispensable food and raw materials. It depended on the capacity of countries to support navies to guard these tenuous supply lines. It depended on the whim of good will and self-interest of many peoples in other nations, on commercial coöperation, on agreements regarding the international gold standard, and so on. In so far as it rested on an overseas territorial empire, it had established itself on the economic insecurity of peoples living in colonial and underdeveloped areas, peoples suddenly transformed by a mysterious ceremony of treaty-signing and flag-raising into involuntary servants of some distant European economy.

From the economic point of view the colonies contributed little to the security of European metropolitan countries. The heavy costs of administration made them an economic liability, and the goods exported in early decades had little of the strategic importance of those found in many colonies today. Their chief economic contribution was to the individuals who succeeded in making a profit in this or that colonial venture. A change has taken place in the last two or three decades, during which metallurgical advances have made many minerals in the colonies essential to industry and to war, to security and to economic well-being.

If the colonies contributed relatively little to the economic

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security of their mother countries before 1914, they made a contribution to European peace and security that is often overlooked. Even if imperialist rivalries led on occasion to very serious diplomatic crises, war between the rival Powers over these issues did not follow. These crises could be settled without resort to war. Furthermore, the existence of these unoccupied or loosely held territories outside Europe made a direct contribution to the friendly relations of European states with one another. The Anglo-French Entente of 1904 was possible because Britain and France could agree to recognize each other's special interest in Egypt and Morocco and base a diplomatic coöperation on the arrangement. It is hardly necessary to point out that the peoples of Egypt and of Morocco were not consulted in this decision about their destinies. In a very real sense they were the innocent victims sacrificed by the two European Powers on the altar of an international friendship. One can point to numerous similar instances of alliance and international friendship arranged around an agreement to take what belonged to third and unconsulted parties. In the Anglo-Japanese Alliance of 1902–1905 Korea was the innocent victim; in the Anglo-Russian Entente of 1907 Persia was the victim. The diplomacy of imperialism during the generation after 1885 contains other such arrangements for promoting, at least for a time, the peaceful relations of European countries with one another. In the secret treaties of the First World War this practice acquired a new significance as a diplomatic device for keeping the Entente Powers and their allies in military coöperation by giving substantial meaning to the victory they sought over their enemies.

Collapse of Internationalism

Although this international base of European economy and security lacked the cement of organization, there is no escaping the fact that internationalism was a real thing prior to the First World War. It is true that the growth of navies, rising tariffs, developing military alliances, and magnifying fears began to weaken the system long before 1914. Still, it was a far better example of successful internationalism than what existed before in centuries of European history or has existed

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since. Goods and people moved about with a freedom that has now disappeared. Travelers needed no brief case crammed with documents as is the need today for those making a tour of the world. More areas of the world were accessible then than now. One can say that Europe before 1914 had internationalism without organization whereas since 1920 we have had organizations without any internationalism.

The tragedy of our time is that this intricate international structure erected by commerce, empire and diplomacy fell apart along national divisions as a result of the First World War. It was then discovered that dependence on distant parts of the world for food and resources could be made into a great military liability. Such dependence by Germany guaranteed the success of a blockade against a country lacking the naval power to prevent the throttling of its economic life lines. Hitler and a few Germans before him argued that Bismarck's *Weltpolitik* weakened Germany and made her defeat possible; they recognized the military disadvantage of Germany's world-wide connections. The naval blockade was successful; and the First World War ended in the overthrow of Germany's international economy with the treaty taking from the defeated nation the colonies she had acquired, the merchant marine she had constructed, the navy and the other instruments fashioned to guard her military and economic security. Guided by a principle with a long tradition behind it, the victor Powers sought in the treaty of 1919 to establish their own security on the destruction of what had given Germany her economic and military security.

The Return of Insecurity

The fear-inspired policies adopted by the winning Powers toward Germany in the Treaty of Versailles came in the course of time to affect their security and their relations with one another. The First World War started a process that eventually weakened all Powers, whether on the winning or losing side in the wars of our century. Although no single document like the Versailles Treaty conveniently itemizes the separate stages of this process in the case of the victor Powers in 1918, the trend is nonetheless a clear one.

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So successful had been the blockade in bringing Germany to her knees in 1918 that the principle of this useful economic weapon was made part of the armory of the League of Nations, in Article XVI of the Covenant with its provision for economic sanctions. This provision, which may be regarded as the charter for the international economic anarchy prevalent since the First World War, transformed an economic security once obtained by trade with foreign lands into a frightening economic insecurity. No country in the world is immune to the deadly use of this weapon because every country needs, in varying degree, materials available only through trade. This League policy made inevitable a trend toward a kind of strictly national economy of self-sufficiency known as autarchy. Here is the formal end of the kind of economic internationalism that had done so much for European well-being and security in the immediate past. And what a paradoxical thing it was for an international agency to do!

Without too much thought as to the far-reaching implications of what they were doing, the victor Powers somewhat lightheartedly adopted this revolutionary policy. The shoe is on the other foot now. During recent United Nations debates on the right of self-determination, argument has arisen as to whether that right should include sovereign control over resources. The colonial Powers who favored economic sanctions in 1919 now speak against the inclusion of such control, knowing that the recognition of the principle will place a powerful economic weapon in the hands of colonies now seeking independence. Clearly involved in the debate are those strategic minerals now so essential to national security.

If Article XVI was not enough to slow down the flow of international trade, the adoption by many states since 1920 of high tariffs, exchange restrictions, quotas, and other devices for controlling and restricting imports has done much to make it difficult for Europe to get needed food and resources. Such imports are a greater need than before the First World War because of the larger European populations, for whom the possibility of large-scale emigration has disappeared, and because of the larger demand for non-European minerals for civilian economies and defense industries.

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From the standpoint of European commercial needs the two world wars of our century were unfortunate. Twice, and for long periods of time, European countries devoted their economies to war purposes, and were unable to manufacture the goods exported overseas for the food and resources formerly obtained by such trade. Thus Europeans cut themselves off from their own breadbaskets; they committed the error of making themselves temporarily unnecessary to those countries whose products they needed. Because of the long duration of these two wars the countries that had been accustomed to trade with Europe found themselves forced either into the manufacture of the goods formerly imported in return for food or into a realignment of commerce in order to get manufactured goods from countries more dependable than the warring ones of Europe.

In recent years there has been another sort of interference with trade. European countries are now discovering that domestic purchasing power has been greatly enhanced by the success of workers' demands for higher wages and that local consumers are bidding for the goods needed for the export trade. The only way Britain can adjust civilian production to domestic demand and still have enough of a surplus for essential export trade is to curtail national military service to get a larger labor force in the country's factories. This is a difficult choice for Britain (it likewise faces other countries), for it is a weakening of military security in favor of an economic security; it is butter *versus* cannon.

The United States is the only country in the world capable of producing enough goods to meet both civilian and military needs. Russia, on the other hand, simply disregards civilian needs. But the United States faces another curious problem involving the economic security of its farmers. The high standard of living now found in most classes of American society has flourished behind high tariffs and has resulted in such production costs for agriculture that the possibility of selling agricultural commodities in overseas markets has nearly disappeared. Prices demanded are too high for needy people outside the country to be able to purchase the cotton, rice and wheat that are being stored in accumulating surplus. The American

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government has had to assume the rôle of the foreign market without knowing where or how to dispose of these costly agricultural products. While efforts are being made to begin solving the problem by restricting future agricultural production, other countries are expanding the production of the very commodities we have in large and idle supply.

One may well wonder whether Americans might not also lose foreign markets for manufactured goods if it should happen that the government ceased to be a purchaser of heavy goods for defense. It is possible that the government would be expected to purchase unsalable manufactured goods as it now acquires unmarketable agricultural goods. Such trends would give the world a curious picture of a new kind of collectivism, with the producer forcing the government to buy, instead of the Russian system where the government forces the producer to sell.

In our world of dissolving empires and emerging independent nation-states in Asia and Africa, markets will inevitably go to those producers whose economic and commercial policies are adjusted to a level of cost and a standard of living different from their own. In the long run even a rich country like the United States will see its economic security threatened if its establishment is sought in tariff isolation and without adjustment to the purchasing power available beyond its borders.

Germany's loss of colonies was justified at the end of the First World War by arguments that have contributed powerfully in the last two or three decades to the dissolution of the empires of those who won that war. The substance of those arguments was a kind of acid that still eats at the seams of empires all over the world—self-determination. Now the Communists have proclaimed themselves the apostles of anti-imperialism and the protagonists of the principle that the peoples of the world should govern themselves. This principle of self-determination, invoked against Germany, Austria-Hungary and Turkey during 1914–18, has become a principle dissolving all empires. It is possible that in 1917 the Communists were sincere and idealistic in preaching the end of empire; now, during the cold war, the hard-headed and realistic application of the principle has become

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a useful weapon against the West. Success with it means the independence of colonies, their neutrality as independent states in the struggle between East and West, their unavailability as a source of strategic minerals and as military bases at a time when those minerals and bases are of the utmost importance to the security of the West.

So far as one can tell, Russia may be the country in the world best able to get along without an empire to supply it with minerals, a position that serves as an ideal pulpit to preach the doctrines of anti-imperialism and self-determination and to proclaim the death of empires. Thus Western Powers are faced with the loss of their overseas territories at a time when their need of such territories is greatest. Apart from the value of colonies for their minerals and bases, they constitute one area to which surplus populations in the metropolitan countries can migrate, there being no other since the extra-European world has ceased to be the asylum it had been for centuries.

Even without aid or inspiration from Russia, nationalism would sooner or later destroy existing empires. Peoples to whom religion had given an ideology of beliefs and a body of practices more concerned with security in another world than in this world have, within the last generation or so, become concerned with the world that is present. They are demanding food, shelter, good health, employment, and the like. In this respect they are shifting the locus of their strongest concerns as Christians did centuries ago. The fatalism that once accepted without question whatever happened has melted before programs of purpose and of action aiming at political independence for the achievement of security here and now.

Thus the internationalism of commerce and of empire that existed prior to 1914 steadily contracts. As a result men no longer enjoy the sense of security which they had before the First World War. While our generation talks much about internationalism, it is the talk of men who hardly realize that they talk of something they have lost and need, rather than of something that is real and alive. It is a disturbing paradox that men should think they have inaugurated an era of internationalism when actually this period of history is one of the most intense

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nationalism. Neither the League of Nations nor the United Nations has been able to restore the international arrangements that gave people and goods their great freedom of movement and produced a feeling of confident security. Actually, the buildings erected for the League at Geneva have become the tomb of an internationalism that is dead rather than the home of one that is living and positive.

There are some countries in the Western World where large masses of people are now better off economically than formerly. Over them hangs, however, the insecurity of a modern war with the crushing economic burden of preparing for it. In the middle of the nineteenth century John Bright argued at length against the waste of war, 170 years of which had cost Britain two billion pounds sterling, an astronomical sum in his objecting opinion. In our day one year's preparation for war costs that amount and much more. It involves an increased tax load. Not so long ago people could pay their taxes with a few days of work each year; they now find themselves forced into months of labor to earn enough for taxes. Industries must produce for defense and for export, leaving less and less for the domestic consumer. Defense costs are sure to increase as the weapons of modern war become more expensive during this race of civilized men toward self-mutilation and suicide.

Beyond all this economic insecurity is the terrifying insecurity produced by these new weapons of war. A sneak attack by an aggressor armed with atomic bombs will make Pearl Harbor appear by comparison like the striking of a match. The imagination cannot comprehend what the heart fears in the horror likely to result from the use of radioactive weapons. The exposure of this generation to radiation will cripple the bodies and blight the minds of people yet to be born, possibly taking from them those qualities that are the essence of humanity. These weapons of man's most recent invention give war a new dimension reaching far into the future, to work through the genes their destructive and cancerous consequences in the spirits and bodies of human beings. These limitless possibilities of harm make almost trivial any discussion about freedom and security as the main issues of our time.

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The Consequences of Revived Insecurity after 1919

The return of military insecurity to the European world enhanced the rôle of the state far beyond anything that the first democrats could possibly imagine. The state must tax as never before, it must employ more people, train more soldiers, build up defense industries, restrict the freedom of the individual, establish the loyalty of its subjects, and so on. Government presses us on every side. The situation shows clearly that men cannot be free when dominated by the fear that they are threatened by the aggression of a Power capable of destroying them. Rarely has it appeared so self-evident as now that men who desire to retain their freedoms should not permit a situation to arise in which their choice is between freedom and security. It is inconceivable that men will place freedom ahead of fundamental security in our time. Security has become the concept before which men must bend their minds and wills today.

The new economic insecurity that came to Europe after the First World War has had profound economic and political effects. These problems were so overwhelming in their character and scope that only the most extreme measures could deal with them, measures so costly that men favoring them and men opposing them became divided into hostile parties of political extremists. There was no middle ground. Those who believed that they could stand in the middle sooner or later found themselves disappearing into the extreme wings of Right and Left. The domestic political struggle assumed the character of civil war when armed political parties made their appearance. So intense was this struggle that the victorious party treated the defeated one like an enemy not to be tolerated. In fact, it was easy to identify political opponents as men working in alliance with the nation's external enemies. In this atmosphere political victors proceeded to make the state their totalitarian agent and to find justification for any brutality against their enemies. Masses of followers were attracted to leaders who had panaceas, men in whom blind devotion to an ideology and a program of action that seemed to give them security destroyed any moral scruple leading to leniency in dealing with opponents and their programs.

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The history of the twentieth century, which once regarded itself as the Century of Progress, has revealed fundamental and forgotten truths about man and his nature. What happened in Nazi Germany on a large scale, and in other countries on a smaller scale, shows that insecure people become primitive in their brutal savagery toward those they look upon as enemies of their security, regardless of the duration of their exposure to the civilizing influences of either education or Christianity. Since there is no transmission of acquired moral or other characteristics from one generation to another, it must follow that all men are primitive at birth, whether born on the banks of the Congo, the Rhine, or Long Island Sound. Men who regard themselves as civilized are, in the final analysis, primitive people who have acquired a few years of conditioning in their particular environment, influences whose beneficial effects vanish when their sense of fundamental security is suddenly lost. Modern civilized man is only one generation removed from the cave man, a fact that can never be out of mind in an age of growing insecurity.

A Few Suggestions

The past hundred years have shown European man at his civilized best and at his barbaric worst. Feeling secure, man is a rather noble being, capable of treating his fellows with considerable decency. What he will do when he feels insecure is revealed in what has occurred in the last thirty-five years in many parts of the world. Enabling man to recover his sense of fundamental security in our world is the basic problem of our time, a problem which involves the psychologist, the economist, the sociologist, the historian and experts from other fields of study found in a university. For scholars to neglect what they regard as a nonacademic responsibility toward man and civilization is to make Nero appear an enlightened ruler utterly devoted to the well-being of Rome.

As the present state of affairs calls for urgent action, the study of history during the last three generations can offer some principles of relevance when action has to be taken.

1. The greatest insecurity is that arising from the threat of modern war. To place other considerations ahead of that threat will be to lose all.

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2. Since it is clear that no country is capable of achieving and maintaining its own economic security except with the aid of lands outside its borders, the lands and resources of the world must be made available for the peoples of the world as the Atlantic Charter states.

3. No people's military or economic security can be successfully based on the insecurity of others, whether the latter are Russians, Asians, or Africans. The behavior of German Nazis, of the Mau Mau in Kenya, of the Black Hand Society in Serbia before 1914, of Fascists and Communists, and of other extremists shows man's barbaric capacities when he finds himself insecure.

4. Men must be warned against attaching their sense of security to existing political and economic institutions in the belief that these institutions will serve in the future the security needs they serve at the present time. Men must learn that no institution is proof against the changes that time sooner or later produces in them. No matter how beneficial they may be in conferring a sense of security, they cannot be made permanent, however reverential the awe in which they are held, however great the sacrifices may be that are made for them. To bind one's security to what must change will be fatal to all hope. To blame adherents of other ideologies and practices for the changes wrought by passing time in our institutions and beliefs is a dangerous superstition that may lead to wars destructive of everything. Men must learn the simple truth that the whole of the present cannot be carried unchanged into the future. This is history's most obvious lesson, and the hardest one to learn.

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THE SOVIET UNION IS NOT A SOCIALIST SOCIETY

(In "Defense" of V. M. Molotov)

Kommunist, the theoretical and political periodical of the USSR Communist Party's Central Committee, carried in the issue No. 14, September 14, 1955, a letter by V. M. Molotov, USSR Minister of Foreign Affairs and Member of the Presidium of the Central Committee of the USSR Communist Party. In this letter Mr. Molotov stated that in his report of February 8, 1955 to the Supreme Soviet[1] he had expressed himself erroneously with regard to the question of the building of socialism in the Soviet Union. He had said: "Besides the Soviet Union, where the foundations of socialist society are already built, there are also such people's democracies which have only made the first, but very important, steps in the direction of socialism." In his letter, he wrote:

> This fallacious formulation suggests the incorrect conclusion that socialist society is not yet constructed, that only the bases of socialist society, i.e., its foundations are completed—which does not correspond to reality and differs from repeated evaluations of results of socialist building in the USSR given in Party documents. . . . I consider my formulation . . . to be theoretically erroneous and politically harmful.

The fact that Mr. Molotov recanted did not save him from attacks in the same issue of *Kommunist* and in *Pravda*,[2] although neither publication mentioned him by name. Referring to the statutes of the Communist Party adopted by the 19th Party Congress in October 1952, which state that "At the present time, the main goal of the Soviet Union's Communist Party is the building of a communist society by means of a gradual transition from socialism to communism", *Kommunist* and *Pravda* denounced "the theoretical and political groundlessness of the attempt to transplant formulations and characteristics per-

[1] Legislative body.

[2] November 4, 1955, pp. 4–5.

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taining to a stage passed long ago into the contemporary period, contending that only the foundations of socialism have been built in the USSR." In *Pravda's* opinion,

> such an assertion originates from underestimation of historical victories of the Soviet people, casts doubt on the existence in the USSR of a socialist society which has on the whole been completed, disconcerts members [of the Party] and distorts the perspective of development. The Party's viewpoint is that everything necessary for the building of a communist society exists in the USSR.

Thus Mr. Molotov's fault is that, instead of asserting that the building of a socialist society has been completed in the USSR, he said that only the foundations of such a society have been erected.

The present writer is of the opinion that, according to reality and the teaching of Marx-Engels-Lenin-Stalin, Mr. Molotov had no reason to assert that socialism has been achieved in the Soviet Union and that his subsequent retraction belongs to the collection of specific "confessions" produced in such a large number in the USSR and its satellites. The purpose of Mr. Molotov's demotion is not known here at the present time. In any case, it is evident that his recantation several months after he had made the incriminating assertion is aimed at something other than the correction of an alleged ideological blunder.

Marx divided the process of transition from capitalism to communism into two periods: the lower and upper phases of communism. Lenin called the first period socialism, the second—communism.[3] What are the basic features of the lower phase of communism or socialism? According to Marx, in the first period of communism (socialism)

> society distributes manpower and means of production among various fields of labor. Producers may receive paper certificates which enable them to draw from public stocks of consumers' goods the quantity of products which corresponds to the quantity of their work time. These certificates are by no means money. They are not in circulation.[4]

[3] "That which usually is called socialism, Marx named the first, or the lower, phase of communism." V. Lenin, *Sochineniya* (*Works*), 4th. ed. (Moscow, 1949), vol. 25, p. 442.

[4] Marx, *Kapital* (Moscow, 1923), vol. II, p. 263.

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Lenin characterized the main economic and social conditions under socialism as follows:

> The means of production are not private property any more. They belong to the entire society. Every member of society, when he fulfills a certain socially necessary part of work, receives a certificate from the society that he has completed this or that quantity of work. On the basis of such a certificate he obtains from public storages the corresponding quantity of products. . . . The state withers away; since the capitalists have disappeared, classes no longer exist, and for this reason there is no more possibility to *suppress* any *class*.[5]

Hence, Art. 9 of the RSFSR Constitution of July 10, 1918 states: "The basic problems . . . [among others] of the RSFSR Constitution is to install . . . socialism, under which there will be no class division or state power."[6]

Let us analyze the structure of the socialist society as defined by Marx and Lenin and see whether it has been achieved in the USSR.

Money and Commodity Circulation

It is evident that the system of certificates described by Marx and Lenin can be established in a society where money and commodity circulation are eliminated. However, money and commodities are still characteristic features of the Soviet economy at the present time. Lenin made an attempt to do without them in the period of War Communism, but had to abandon this attempt even before the introduction of the New Economic Policy (NEP). The reason why money and commodity circulation have been retained[7] in the Soviet economy and could not yet be discarded was explained by Stalin in his last work. Some Communists were arguing that the party had acted wrongly in retaining commodity production and money circulation after the means of production had been nationalized. In support of their assertion, these Communists were quoting Engels, who

[5] Lenin, *op. cit.*, pp. 437 and 439. Italics Lenin's.

[6] RSFSR Collection of Laws, 1917–1918, No. 51, Item 482.

[7] The elimination of money circulation in the near future was promised in Art. 15 of the 1919 Program of the Communist Party.

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wrote in *Anti-Dühring*: "The seizure of the means of production by society puts an end to commodity production. . . ."[8] Stalin, on the other hand, was of the opinion that not the party but the Communists who argued in this manner were wrong—primarily because by "means of production" Engels, according to Stalin, meant *all* means of production, whereas in the USSR *not all* means of production are nationalized, since the *kolkhozes* own the means of agricultural production (with the exception of land and machine tractors which are lent them by the state).[9] Stalin continues:

> Of course, when instead of the two basic production sectors, the State sector and the collective farm sector, there will be only one all-embracing production sector, with the right to dispose of all the consumer goods produced in the country, commodity circulation, with its "money economy", will disappear as being unnecessary elements of the national economy.[10]

Thus, commodity production and money circulation still exist in the Soviet Union and will exist, according to Stalin, until all means of production (including the agricultural ones) are nationalized. Consequently, three basic economic features—nationalization of all means of production, elimination of money and elimination of commodity circulation—characterizing the lower phase of communism (socialism), according to Marx and Lenin, are not yet realized in the USSR.

Withering Away of the State

That we do not live in a time when the Soviet state is withering away, as it should do under socialism, is obvious. The Soviet state is still the leviathan which was built by Lenin and Stalin and there is no sign that it is unclenching the mortal grip in which it holds the Soviet citizens. The Soviet state is more powerful inside and outside the country than ever before. As a matter of fact, the doctrine of the withering away of the state,

[8] F. Engels, *Herr Eugen Dühring's Revolution in Science* (*Anti-Dühring*) (New York, 1919), p. 309.

[9] J. Stalin, *Ekonomicheskiye problemy sotsializma v. SSSR* (*Economic Problems of Socialism in the USSR*) (Moscow, 1952), pp. 19–20.

[10] *Ibid.*, p. 20.

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as it was established by Engels and developed by Lenin, has been discarded in the Soviet Union for the present period. Necessity always takes precedence of dogma in the USSR. It is evident that a strong state is necessary to the contemporary régime to carry out its external and internal policies. Stalin, hence, wrote that the Soviet state will not wither away gradually, as stated by Lenin, but, on the contrary, will steadily increase its power up to the time when all the premises for its abrupt liquidation are created. It is not even certain, according to Stalin, whether the state will wither away under communism. "Will our state remain in the period of communism also?" demanded Stalin in his Report to the Eighteenth Party Congress in 1939. And he gave the following answer: "Yes, it will, unless the capitalist encirclement is liquidated and unless the danger of foreign military attack has disappeared. . . ."[11] A. Ya. Vyshinsky wrote: "The withering away of the state will come—not through weakening state power—but through the maximum intensification of this power which is necessary to finish off the remnants of dying classes and to organize a defense against capitalist encirclement. . . ."[12] In his speech before the Nineteenth Party Congress in October 1952, G. Malenkov most disrespectfully called the doctrine of the withering away of the state "rotten". He announced that the state will continue to be strengthened if the capitalist encirclement subsists.[13]

In any case, there is no sign that the Soviet state has started the process of withering away up to the present time, and, thus, another premise of completed socialism is failing.

Classless Society

The last premise for the achievement of socialism is a classless society. Let us again revert to Lenin and see what he understood by classes. He wrote:

> By classes are meant large groups of people different as to their place in a historically defined system of social production, as to

[11] Stalin, *Leninism* (English Translation, New York, 1942), p. 474.

[12] A. Ya. Vyshinsky, *The Law of the Soviet State* (New York, 1948), p. 40.

[13] *Pravda*, Oct. 6, 1952, p. 6.

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> their role in the social organization of labor, and, consequently, as to their ways of receiving the share of common wealth which they have at their disposal and as to the size of that share. Classes are groups of people of which one can appropriate the labor of another thanks to the different places which they occupy in a national economy of a certain structure.[14]

Lenin's definition of classes is divided into three parts: in the first, a class is recognized with regard to its relation to the means of production; in the second part, in connection with its participation in the common wealth; and in the third, as a group the work of which can be appropriated by other groups of society.

Let us examine the Soviet people under these three aspects.

1. *Peasants*

The system of agricultural production in the USSR differs greatly from that of all other production. Peasants are collectivized in *kolkhozes* (collective farms). According to their structure, these are artels, or coöperatives. The means of production belong to them. Land is leased to them in perpetuity and machine tractors which belong to the state are used on *kolkhoz* land on the basis of contracts between the *kolkhozes* and Machine Tractor Stations. The agricultural production of the *kolkhozes* belongs to them, and after they have delivered to the state the obligatory part of their agricultural production and made other deductions prescribed by law, they are free to sell the balance on the free market at prices established by the capitalist law of demand and supply. Every household in a *kolkhoz* has perpetual use of a plot of land and owns a number of small livestock. The yield of the plot and the livestock are free property of the household and may be sold on the market. A great difference also exists in the system of remuneration of the peasants and that of the workers. Wages and distribution of work are determined by the state in industrial production, but not in agricultural: there the *kolkhozes* themselves decide the distribution of labor and income among their members. That is why Stalin speaks of two different sectors of production, as we have seen above; but he calls them both "socialist".

[14] Lenin, *op. cit.*, vol. 29, p. 388.

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The 1936 USSR Constitution does the same thing with regard to two forms of property: that of the state and that of the coöperatives (Art. 5). Why the production and property of *kolkhozes* should be called "socialist" is not clear: coöperatives existed in tsarist Russia, many kinds of coöperatives exist in other capitalist countries, but nowhere are their production and property defined as socialist.

Thus the collective farmers are a large group of people differing from others as to their place in Soviet production, as to their relation to the means of production, and as to their rôle in the social organization of labor. They are also a group the work of which is appropriated by another group and which is exploited with regard to its share of common wealth.[15]

Exploitation of the peasants started with the beginning of Soviet rule. In his address to the Congress of State Commissars of Supply, Alexander Tsyurupa, National Commissar of Supply, declared in 1919:

> We say to the peasants frankly, give us all you are asked to give of your products and you will receive from us all that we can give you. We do not deny that what we can give is not the equivalent of what we receive. The method of securing farm products is the compulsory power of the government. . . . Our procedure is to compel. If you will not give what we are asking, we will fight with all our might, even to the extent of destroying your farms. The compulsion power of the government—that is the supreme instrument of our activity.[16]

It is true that these words were said and put into action during War Communism. Times and methods have changed since then, but the principle formulated by Tsyurupa remains in force up to the present time. The *kolkhozes* are obliged to deliver a great part of their production to the state at prices established by the government, which are much lower than those asked by the government from consumers in retail stores and than those paid on the free market. Thus, the government makes

[15] See the author's "Communist Party vs. Peasantry in the USSR", POLITICAL SCIENCE QUARTERLY, June 1955, pp. 181–196.

[16] Quoted by Manya Gordon, *Workers Before and After Lenin* (New York, 1941), p. 474.

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a large profit at the expense of the peasants from the sale of agricultural products.

The quantity of agricultural products to be delivered to the state, with the exception of industrial crops, is set by the government in the plan. Consequently, the risks of a poor harvest, livestock diseases, and so on, remain with the *kolkhozes:* they have to fulfill the norm prescribed by the plan anyhow. Furthermore, a net income is earned by the state from the sale of a part of the agricultural products paid by the *kolkhozes* for the services of the Machine Tractor Stations. After all the deductions prescribed by law have been made, the money received from the state for the obligatory delivery and the remainder of the agricultural production are distributed to the members of the *kolkhoz* according to the number of work days entered into the individual work books. For his money the peasant gets commodities, if they are available, but he has to pay retail prices which are, again, set by the government in such a manner as to bring a net profit. If not in consequence of forcible requisitions, as was the case during War Communism, then as a result of obligatory deliveries, the peasants still do not "receive the equivalent of what they give," in Tsyurupa's words. The peasants are still underpaid for their production and have to pay high prices for commodities they acquire. The famous "scissors"[17] are not closed up to the present time.

2. *Workers*

According to Marx, exploitation of the workers under capitalism is due to the fact that the employer does not pay to labor the equivalent of the value of its output;[18] the worker receives wages just sufficient to support his and his family's livelihood on a very low level (*Existenzminimum*); the difference between the real value produced by the worker and his wages, the "surplus value", is appropriated by the capitalist and permits him to lead a better, even luxurious, life.

[17] It was Trotsky who used this word to describe the situation when the peasants are compelled to pay high prices for manufactured goods and receive low prices for their production.

[18] This, of course, on the ground of the labor theory of value created by Ricardo and taken over by Marx as one of the basic pillars of his teaching.

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What is the case in the Soviet Union? Does the worker receive the equivalent of his output value? Does he produce a surplus value, and, if so, for whose benefit?

After Lenin's death in 1924 and during the fight for the succession which lasted until about 1929, the opposition dared to raise its voice openly. A part of the opposition asserted that exploitation of workers was continuing under the Soviet régime as under capitalism: the place of capitalists had been taken over by the state; individual capitalism had been replaced by state capitalism; surplus value produced by the workers was now being misappropriated by the state instead of by capitalists. "What we have now is basically what V. I. Lenin called state capitalism", wrote Zalutsky.[19] A. Ya. Sokolnikov, in his speech at the Fourteenth Congress of the Party in 1925, declared:

> Our foreign trade is directed as a state capitalist enterprise. . . . Our domestic trade companies are also state capitalist enterprises. And I must say, Comrades, that our State Bank is a state capitalist enterprise as well. . . . Our monetary system is based on the fact that in the Soviet economy, under conditions of building socialism, a monetary system has been taken over which is imbued with principles of capitalist economy. . . . Thus, I am asking you, did the railroads which were state enterprises under the tsars really become a socialistically organized economic unit at the moment when they were transferred into the hands of the new power, the workers' power? No, only conditions for the development of socialism have been created. . . . Our entire economic system, insofar as it is connected with commodity circulation and with the credit system and is saturated with monetary relations, is bound to these elements of commodity-capitalist economy.[20]

In his book *Leninism*, Gr. Zinoviev asked: "Are not elements of capitalism present even in our contemporary trusts, in their operation, in their system of work and in that of related organizations?"[21]

The operation of the law of value in production and commodity circulation is admitted by Stalin. Cost accounting,

[19] Zalutsky, *Zvenevyye organizatory i ikh zadachi* (Links Organizers and Their Tasks) (Moscow, 1925), p. 7.

[20] *Byulleten' XIV-go Parts"ezda* (*14th Party Congress Bulletin*), No. 6, Moscow, 1925, pp. 33–35, *passim*.

[21] Gr. Zinoviev, *Leninism* (Moscow, 1924), p. 34.

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profitableness, and prices are of actual importance in Soviet enterprises, which cannot function without them, according to him. However, Stalin denies that the operation of the law of value has as much scope in the Soviet Union as under capitalism, and that it regulates Soviet production too. "The fact that private ownership of the means of production does not exist, and that the means of production both in town and country [?] are socialized, cannot but restrict the sphere of operation of the law of value and the extent of its influence on production."[22]

Having acknowledged the function of the law of value in the Soviet economy, Stalin faces the necessity of taking a position with regard to such conceptions, taken from Marx's *Capital*, as "necessary and surplus labor", "necessary and surplus product", "necessary and surplus time". Doing this, he contradicts some "comrades" who argued that since socialist society has not abolished commodity forms of production, all the economic categories of production characteristic of capitalism, such as labor power as a commodity, surplus value, capital, capitalist profit, average rate of profit, and so on, must reappear in the Soviet economy.[23] Stalin opposes these arguments by declaring that Marx

> analyzed capitalism in order to elucidate the source of exploitation of the working class—surplus value—and to arm the working class, which was bereft of means of production, with an intellectual weapon for the overthrow of capitalism. It is natural that Marx used concepts (categories) which fully corresponded to capitalist relations. But it is strange, to say the least, to use these concepts when the working class is not only not bereft of power and means of production, but, on the contrary, is in possession of the power which controls the means of production. Talks of labor being a commodity and of "hiring" of workers sound rather absurd now, under our system; as though the working class, which possesses means of production, hires itself and sells its labor power to itself.[24]

Stalin thinks that it is just as strange to speak of "necessary" and "surplus" labor in a socialist society, since surplus labor

[22] Stalin, *op. cit.*, p. 25.

[23] *Ibid.*, p. 21.

[24] *Ibid.*, pp. 21–22.

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contributed by the workers is used for the extension of production, promotion of education, for things which are as necessary to society and to the worker himself as the labor expended for the satisfaction of his personal needs and those of his family.[25]

Thus, Stalin does not deny the existence of a surplus value in the Soviet economy. He asserts only that the surplus value is used in behalf of the worker, the owner of the means of production. Stalin's viewpoint is not new. The denial of the worker's right to strike in the Soviet Union was explained in this manner: the worker cannot strike in his own enterprise. Stalin's argumentation stands and falls with the question: do the means of production really belong to the workers?

Another closely related question must be asked. According to the communist doctrine, after the proletariat has seized power, it is no longer a class deprived of the means of production and forced to sell its labor power. Engels, following Marx, wrote in *Anti-Dühring* that when the proletariat takes over governmental authority, and, first of all, turns the means of production into government property, it destroys itself as a proletariat, ceasing to be an exploited class by this action. Did this process of transformation of the proletariat into a ruling class really take place in the Soviet Union?

It seems to the present writer that both the above questions must be answered in the negative.

A. Lyapin writes:

> Under the capitalist order, when the capitalist relations are based on capitalist ownership of means of production and the predominant form of labor organization is the labor of hired workers, capitalism ruins the masses of small goods producers and converts them into proletarians. The workers' class, deprived of means of production, is obliged to sell its working power to capitalists and to carry the yoke of slavery.[26]

Does not this description bring to mind the economic picture in the Soviet Union today? Small goods producers have been

[25] *Ibid.*, p. 22.

[26] A. Lyapin, "Socialist Organization of Labor", *Voprosy ekonomiki* (*Problems of Economics*), 1950, No. 10, p. 84.

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liquidated and converted into proletarians with such perfection as no capitalist country in the world could achieve. Labor is still obliged to sell its working power in order to exist, and carries a very heavy yoke. True, industrial means of production have been taken away from capitalists and transferred to the state, but it is not the people (including the workers) who own them. Something really belongs to a people only if, by applying the democratic principle of majority rule, the people can control it through their legislative bodies. However, in the Soviet Union it is not the workers and not the people who rule. Election to legislative bodies is a farce in which the single candidate selected by the Communist party, the only political party admitted to existence, is elected by a majority of over 99 per cent. "Popular elections, whether secret ballots or not, are a humbug, a farce; the nominations are all decided upon and imposed from above. The people only have the right to elect those who have been chosen beforehand. The proletariat has been swindled", wrote André Gide, the eminent French writer and Nobel Prize winner, when he came back from his visit to the USSR.[27] The fiction of popular representation is continued in the legislative itself. In order to bring evidence for this assertion it is enough to consider that not only was no bill of the government ever defeated in the Supreme Soviet, but not a single vote was ever cast against any bill in the voting process. All bills and suggestions of the government are adopted unanimously.[28]

The workers, as such, have nothing to say with regard to the management and operation of the means of production. The place of the former bourgeois employer has been taken by the state which treats its workers in no way better than did the "exploiters", that is, capitalists—in some instances even worse. Indeed, in the Soviet Union wages are fixed by the government, that is, by the employer, and not by collective bargaining. The workers have no right to strike—that is, to resort to their

[27] André Gide, *Afterthoughts*, translated by Dorothy Bussy (London, 1937), pp. 46–47.

[28] As in the German *Reichstag* under Hitler.

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most effective means of improving labor conditions. The worker there has lost his freedom of labor: he is attached to his place of work and cannot leave without the consent of the director. Furthermore, in order to enforce its coercive measures against labor, the Soviet Union, this alleged "workers' state", has created a system of punishment for labor infractions which is unique in the history of modern states.[29] The state exercises all imaginable pressure in order to squeeze out of labor the greatest possible amount of work. Parallel to drastic punishments for labor discipline violations, the exceeding of work norms—Stakhanovism—is rewarded by bonuses, titles, decorations and other kinds of privileges. And when some workers exceed the prescribed amount of work, a higher norm is then imposed on their colleagues which in many instances is beyond their strength. The main duty of trade unions in the USSR is, not to defend the interests of labor, but to support the state in its ever-intensified drive for greater production.

Dictatorship of the proletariat, as described by Marx, was never realized in the Soviet Union. As Gide puts it: "The dictatorship of the proletariat was promised to us. We are far away from it. Yes, evidently, there is a dictatorship, but of one man. . . ."[30]

Under these circumstances it is evident that the "workers' state" is a myth. Far from owning the means of production, the workers in the USSR in reality form the great army of the same *Lumpenproletariat* which inspired Marx to formulate his doctrine. The workers' wages insure them (with the exception of a small group of Stakhanovites) only the bare necessities of living, on a standard which would be considered disgraceful in many capitalist countries, not to mention the United States. With what envy would the Soviet worker look at a United States worker, "exploited" and "oppressed" by capitalists according to Marx-Engels-Lenin-Stalin, if the real situation were made

[29] The Law of June 26, 1940 and other decrees which bound the worker to his job and introduced severe punishments for violation of labor discipline had not been officially abrogated when this article was written. Just before it went to press, however, *The New York Times* of May 12, 1956 reported that some of the most stringent labor regulation laws had been repealed.

[30] André Gide, *Retour de l'URSS* (Paris, 1936), p. 77.

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known to him! But, of course, it is thoroughly hidden from him. Here is an example of what is told to the Soviet worker in place of truth: "In the United States, the anti-worker Taft-Hartley Law, of the fascist type, is in operation; it deprives the workers of the most elementary and vital rights. The costs of living are rising, wages are steadily decreasing and conditions of labor worsening. . . ."[31] And Gide relates that workers with whom he spoke about France smiled skeptically when he mentioned that Paris also has a subway. He was asked if at least streetcars and buses were running in France, and if there also were schools. A Soviet worker who seemed better informed answered the last question in place of Gide, saying: "They have schools, but children are beaten there. I know it from a very competent source. . . ." "They [Gide's interlocutors] were completely convinced that all the workers are unhappy in France," Gide relates further. "This is self-evident [to them] since we have made no revolution yet. For them it is complete night outside the USSR. Except for some shameless capitalists, the rest of the world struggles, flounders in darkness."[32]

Thus we have to conclude that the workers in the USSR are a distinct class of the population corresponding to Lenin's above-quoted definition of classes of society.

3. *Intellectuals*

The intellectuals are called "intelligentsia" in the Soviet Union. This definition is misleading. It is taken over from pre-revolutionary times, when it had another sense than intellectuals or educated people in general. Not every educated person belonged to the intelligentsia in former Russia. The Russian intelligentsia was a specific group of people with its own ethics, outlook on life, manners and customs, and even with its own particular outward appearance. "Our intelligentsia was a group formed out of various social classes and held together by ideas, not by sharing a common profession or economic

[31] Lyapin, *loc. cit.*, p. 85.

[32] Gide, *Retour de l'URSS*, pp. 54–55.

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status", writes Berdiaev.[33] The type of the Russian intelligentsia was established, according to Berdiaev, by its first member, Radishchev, who wrote in his *Journey from Petersburg to Moscow* in 1790: "My soul was wounded by the sufferings of humanity." And since then, the Russian intelligentsia has always been driven by humanitarian ideals, especially of liberty and human rights, and has devoted itself to them supremely. Educated people in the USSR are not driven by these ideals and should be, therefore, called "intellectuals" and not "intelligentsia".

Lenin asserted that "the intelligentsia is not an *independent* economic class and, thus, does not represent any *independent* political power."[34] "The intelligentsia", Stalin chimed in, "was never and could not be a class. It was and remains a layer which recruits its members among all classes of society . . . but however recruited and whatever character it may have, the intelligentsia is still a layer and not a class."[35]

Actually, the great majority of Soviet intellectuals are ordinary workers; only they are occupied with intellectual work instead of manual. With the exception of those whose earnings are disproportionately high, intellectuals are exploited by the privileged in the same way as workers and peasants. The technicians are bound to the plants and factories by the same laws and provisions as the workers. They are subject to the same labor discipline. Engineers, doctors and advocates cannot choose their place of work: they have to serve where they are assigned. Innumerable purges take a heavy toll among them. Their standard of living cannot be compared to that of intellectuals on the other side of the Iron Curtain. Work is also squeezed out of them up to the last limit of possibility and the compensation they receive for it is not adequate.

In the interview given to Roy Howard in 1936, Stalin said: "Our society consists exclusively of free city and country workers —workmen, peasants and the intelligentsia." However, he called these groups not classes but "layers" of the population.

[33] N. Berdiaev, *The Origin of Russian Communism* (London, 1937), p. 17.

[34] Lenin, *op. cit.*, vol. 11, p. 343. Italics Lenin's.

[35] Stalin, *Voprosy Leninizma* (*Problems of Leninism*), 11th ed. (Leningrad, 1952), p. 526.

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According to him, classes do not exist any more, boundaries between them have been obliterated and "only a slight unimportant difference remains between the various layers of social society."[36] Still, economic and social differences do exist between the intellectuals and other classes of the population, and they were deemed so basic and strong that Lenin wrote:

> It is clear that for a complete elimination of classes it is necessary not only to overthrow exploiters, landowners and capitalists not only to abolish their ownership, but to eliminate, in addition, *every* private ownership of means of production; it is necessary to remove both the differences between city and countryside and between men occupied with physical and mental work.[37]

These differences have not been eliminated. Nor have all forms of private ownership been abolished. Consequently, classes as defined by Lenin still exist and the last of the features of socialism as he defined them has not been realized in the USSR.

Social distinctions between different groups of the population continue to exist in the Soviet Union. Class privileges are created by the Soviet government itself, since they are necessary to enforce its policy. Social distinctions exist in the USSR, according to eyewitnesses, sometimes to a greater extent than in capitalist countries. Conditions of life are differentiated in a striking manner. "From their subordinates the ministers got a degree of deference which would have embarrassed most American bureaucrats", remarks John Fisher.[38] Gide has even stronger words on this topic:

> How can one not be shocked by the contempt, or at any rate the indifference, which those who are, and feel themselves to be, on the right side show to inferiors, to servants, to unskilled workers, to toilers, male and female workers by the day, and I was about to say, to the poor. . . . As a counterpart to this, how servile, low obsequious are the servants . . . those who come into contact with the leaders and their responsible administrators.[39]

[36] *Beseda t. Stalina s. . . Roy Govardom, 1 marta 1936* (Moscow, 1936), p. 12.

[37] Lenin, *op. cit.*, 3d ed., vol. 24, p. 337. Italics Lenin's.

[38] John Fisher, *Why Russians Behave Like Russians* (New York, 1947), p. 73.

[39] Gide, *Retour de l'URSS*, pp. 64–65, *passim*.

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Gide was shocked by the number of poor people in the USSR. "There are too many of them, far too many," he exclaims. And at the same time, outrageous luxury is displayed by others. Describing N. Khrushchev's office in Kiev when he was running the Ukraine, John Fisher relates that it was twice the size of the President's White House study, with yellow marble pillars and far more luxuriously furnished; "thick-piled oriental rugs cover the floor; the walls are paneled in some dark, polished wood. . . . Moreover, [Khrushchev] enjoys a home in Kiev that would do credit to a Long Island millionaire; he is also said to have an apartment in the Kremlin, a country place 30 miles outside of Moscow and a villa in the Caucasus for vacations."[40] About a dinner which Fisher attended at Khrushchev's, he wrote that it lasted from 8 P.M. to 2 A.M. and "might have come straight out of *The Arabian Nights*." Liveried waiters—one to each place—marched in with what seemed like an endless procession of courses.[41]

Former millionaires and the entire *bourgeoisie* have been thoroughly liquidated by the Bolsheviks. But Soviet millionaires and a new *bourgeoisie* have taken their place. Boris Garbatov, well-known Soviet writer, told Boris Shub in Berlin, in 1945, that if his book had been printed a year later when there was more paper on hand, he would have made enough money to buy Berlin. His book was published "only" in 500,000 copies.[42] The late Ivan Bunin, eminent Russian writer and Nobel Prize winner, living as an émigré in Paris, related in his memoirs that the Soviet writer Aleksei N. Tolstoi, during one of his visits to Paris in 1936, gave him the following description of his life in the USSR: "I have my own estate in Tsarskoye Selo,[43] and three cars. . . . I have a better collection of precious English pipes than the King of England."[44] Among the members of the delegation of Soviet writers who toured the United States

[40] Fisher, *op. cit.*, p. 95.

[41] *Ibid.*, p. 96.

[42] Boris Shub, *The Choice* (New York, 1946), p. 91.

[43] Former summer residence of the Tsars.

[44] Ivan Bunin, *Vospominaniya* (*Reminiscences*) (Paris, 1950), p. 235.

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in October-November 1955, A. Sofronov was openly described as a millionaire (earning about 7,000,000 rubles) by his colleagues of the delegation.[45]

A Soviet millionaire, or even a well-to-do person (there are a great many of them in the USSR), is able to buy or erect a house on land leased from the state in perpetuity, and to transfer it to his heir or sell it to any other person, according to the Decree of August 29, 1948. He may live in this house on interest paid to him by the state on bonds, that is, on income not produced by work, despite the provision of Art. 12 of the 1936 Constitution, which reads: "He who does not work, neither should he eat." This citizen of an allegedly socialist state would continue to eat without working and to live in his own comfortable house despite the appalling housing conditions under which his "comrades" are forced to dwell.

It is evident that the Soviet "classless" society is another myth propagated by the Communists. Not only do full-fledged classes exist in the Soviet Union, but the class struggle, too, is continuing. This is achnowledged by Vyshinsky, who emphasized that "Stalin always warned and still warns against lack of understanding and denial of the continuance of the class struggle under triumphant socialist construction. . . . The abolition of classes is attained by intensification—not by extinguishing the class struggle."[46] It is obvious that class struggle cannot be conducted without the existence of classes.

The New Bourgeoisie

Egalité was one of the three mottoes of the French Revolution of 1789. But the French Revolution was a political and not a social revolution. The Russian October Revolution started a social upheaval unparalleled in world history. Equality was one of its leading principles. In the first period of Bolshevist rule Lenin tried to establish egalitarianism. Factory directors received the same wages as their workers. But soon the egalitarian tendencies were abandoned. This provoked bitter protest on the part of the opposition in the twenties. However, egali-

[45] *The New York Times*, Nov. 19, 1955.

[46] Vyshinsky, *op. cit.*, pp. 39 and 40.

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tarianism was branded by Stalin and his adepts as *uravnilovka*, a petty-bourgeois, reactionary principle. "It cannot be tolerated that a roller in ferrous metallurgy should receive as much as a sweeper", Stalin declared.[47] The process of differentiation of wages, remuneration and income was developed to an extent not known in capitalist states. As a matter of fact, the difference between the earning of an average worker and the director of his factory in the USSR is greater than in the United States. Striking economic inequality is one of the most characteristic features of Soviet society. Intensified industrial and agricultural production required the greatest effort from workers, technicians, peasants and management. It was stimulated by a system of bonuses and rewards in money, titles, decorations and various privileges which contributed to a great extent to the stratification of Soviet society. André Gide was very shocked, in 1936, by the advent of a new *bourgeoisie* in the USSR. He wrote:

> I do not protest against the inequality of salaries. But there are means of remedying differences of conditions; now I feel that these differences, instead of getting less, are actually on the increase. I fear that a new sort of workers' bourgeoisie may soon come into being. Satisfied (and for that very reason conservative, of course), it will come to resemble all too closely our own petty bourgeoisie. . . . I see everywhere the preliminary symptoms of this. . . . It disgusts me very much to observe that in the USSR today these bourgeois instincts are indirectly flattered and encouraged. . . . And we see the reappearance . . . of a new aristocracy. I am not referring here to the aristocracy of merit and of personal worth, but to the aristocracy of respectability, of conformism which in the next generation will become that of money. . . . The new bourgeoisie that is forming has all the defects of ours. No sooner has it emerged from poverty than it despises the poor. Greedy of all the satisfactions it was so long deprived of, it knows how to set about getting and keeping them. "Are these really the men who made the Revolution?" No, they are the men who profit by it.[48]

This process of stratification has been very aptly described by another eyewitness, Sir David Kelly, former British Ambas-

[47] Stalin, *Voprosy Leninizma* (*Problems of Leninism*), pp. 451–452.

[48] Gide, *Afterthoughts*, p. 64.

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sador to Moscow, 1949–1951. To Sir David, the most unexpected and radical transformation has been the complete abandonment in practice of the proletarian society with its inseparable ideal of social equality. "Inequality of salary is now on a scale fast becoming unthinkable in England," he writes, "but even more important is inequality in privilege. . . . Evidence of the growth of a new privileged governing class strikes the resident at every turn."[49]

The USSR Communist party is a group of a few million people which has all the features of a ruling class. It controls all aspects of life in the USSR. It has become a hereditary governing élite. The children of Communists naturally find it easier to be admitted to the party and thus to take the path to the best positions in the best locations.

But the Communist party is not the only recipient of privileges in the Soviet Union. The top layer of the bureaucracy, army officers, a great number of technicians, engineers, scientists, physicians, artists, authors and all kinds of Stakhanovites are also holders of great privileges as compared with the bulk of peasants, workers and intellectuals. Social stratification has been accentuated by reintroduction of ranks in all branches of the civil service and by glittering uniforms worn by the same Bolsheviks who in the beginning of their rule scoffed at creased trousers and at neckties and pretended to dress as the common people. Paris fashions provoke the greatest interest of their wives.

It is evident that a part of the surplus value produced by the bulk of the working population goes, through the medium of the state, to the benefit of the privileged groups described above.

The purpose of this article is not to put another label, in the place of "socialism", on the economic structure of the USSR. This is beyond the scope of the author. The present writer wants merely to establish that not only has the building of socialism not been completed, in that country, but not a single characteristic of those given by Marx and Lenin for the first period of communism, that is, socialism, has been achieved: agricultural means of production have not been nationalized,

[49] *The New York Times Magazine*, Dec. 23, 1951, pp. 13 and 18.

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commodity and money circulation have not been abolished, the state is not withering away, and full-fledged classes of society exist up to the present time. "One need not accept the Stalinist myth that socialism has been established in Russia. Still less one takes at face value the ludicrous claim that the Soviet Union is in 'transition from socialism to communism' ", correctly remarks Isaac Deutscher.[50]

In March 1936, Stalin told Roy Howard that "the social organization which we have created may be called a Soviet socialist organization, not fully completed." Thus, according to Stalin himself, socialism was not yet achieved in the USSR in 1936. At the Nineteenth Party Congress in 1952, it was declared, however, that socialism is already completed and that the USSR is in the period of transition from socialism to communism. On what is such an assertion founded? What achievements in the task of the building of a socialist state were there between 1936 and 1952? What changes occurred in the economic and social structure of the USSR which warranted such an assertion? None. The Soviet state, its economy and society, are now basically the same as they were in 1936.

When Mr. Molotov did not assert before the Supreme Soviet that socialism is completed in the Soviet Union, he acted in accordance with reality and the teaching of Marx-Engels-Lenin.

Samuel Kucherov

Library of Congress
Washington, D. C.

[50] Isaac Deutscher, *Russia: What Next?* (New York, 1953), pp. 124–125.

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FROM THE INDUS TO THE JORDAN

CHARACTERISTICS OF MIDDLE EAST INTERNATIONAL RIVER DISPUTES

"OF the elements which make for political controversy in human affairs, the control of rivers is one of the most persistent . . . the last community to get the water are always suspicious of the intentions of those upstream."[1] In no area of the world is this as true today as in the Middle East,[2] where all except one major, and many minor, rivers are international; most flow through the territories of more than one state, while a few separate different countries, forming parts of their boundaries. In the general context of Middle East disunity, these rivers have become, in the last decade, foci of growing disagreement. While, without exception, the rivers proper have not been the original cause of political tension, the several countries, in the light of general discord, seem to have taken up the issues of these rivers and their waters and around them built up and crystallized further hostility.

This is not surprising. These rivers are, in all cases, of the greatest economic importance for the agricultural countries that they water. While international politics may be remote from the average peasant, the question whether or not he will have water for his fields when he needs it is one which affects him directly; the case of each of these rivers thus has popular appeal which other issues lack. It is a vital question in which popular interest will not flag; it will on the contrary be renewed with the beginning of each agricultural season, and reach great intensity with the onset of both the dry and the flood seasons, or when the crops' water requirements are at their maximum. Already some of the governments in the Middle East seem to

[1] Lord Birdwood, *India and Pakistan: A Continent Decides* (New York, 1954), p. 130.

[2] This study includes only the core area of the Middle East; Asia Minor and the African areas often included in the term Middle East are not dealt with in this paper.

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have reached the point where they cannot play down the importance of their particular river dispute, and find themselves unable openly to give ground in negotiations on the subject; they turn to "third parties" which are now invited virtually to impose a solution to the problem of the particular river basin.

The Geographic Setting

The vast chain of mountains—stepping stones to the roof of the world—that stretches from Turkey to Tibet sends down its southern flanks a number of rivers which flow in a generally southward direction; some of these reach the Mediterranean, the Persian Gulf, or the Arabian Sea. Others, because of the aridity of the climate and the high rate of evaporation, or because mountain chains bar the way, never reach the ocean; they stop somewhere in the desert, or in a marsh or lake.

Some of these rivers are well known; their basins have served as the cradle of great civilizations. The Indus River with its basin involves four countries. The Indus proper and the Sutlej rise in Tibet. Afghanistan contributes the Kabul River (one of whose main tributaries, the Kunar, rises in Pakistan) as well as some smaller mountain streams. The Beas, the Ravi, and the Chenab rise in India. The Jhelum rises in Kashmir, on the Indian side of the cease-fire line.

The Lebanon and Anti-Lebanon ranges account for three major rivers, two of which are international and one—the Litani—is the Middle East's only major non-international river. The Orontes flows northward to the Mediterranean, through Syria and Turkey's Hatay province. The Jordan collects several smaller streams, including the more important Yarmuk, and flows down to a "stop" in the Dead Sea; its basin includes parts of Lebanon, Syria, Israel and Hashemite Jordan Kingdom.

The Tigris and the Euphrates run down into the Mesopotamian plain (which took its name from the rivers) to form the Shatt-al-Arab in lower Iraq; parts of both rivers are under the sovereignty of Turkey, Syria and Iraq, while the Tigris and the Shatt-al-Arab receive important tributaries from Iran, which thus also is a partner in the basin.

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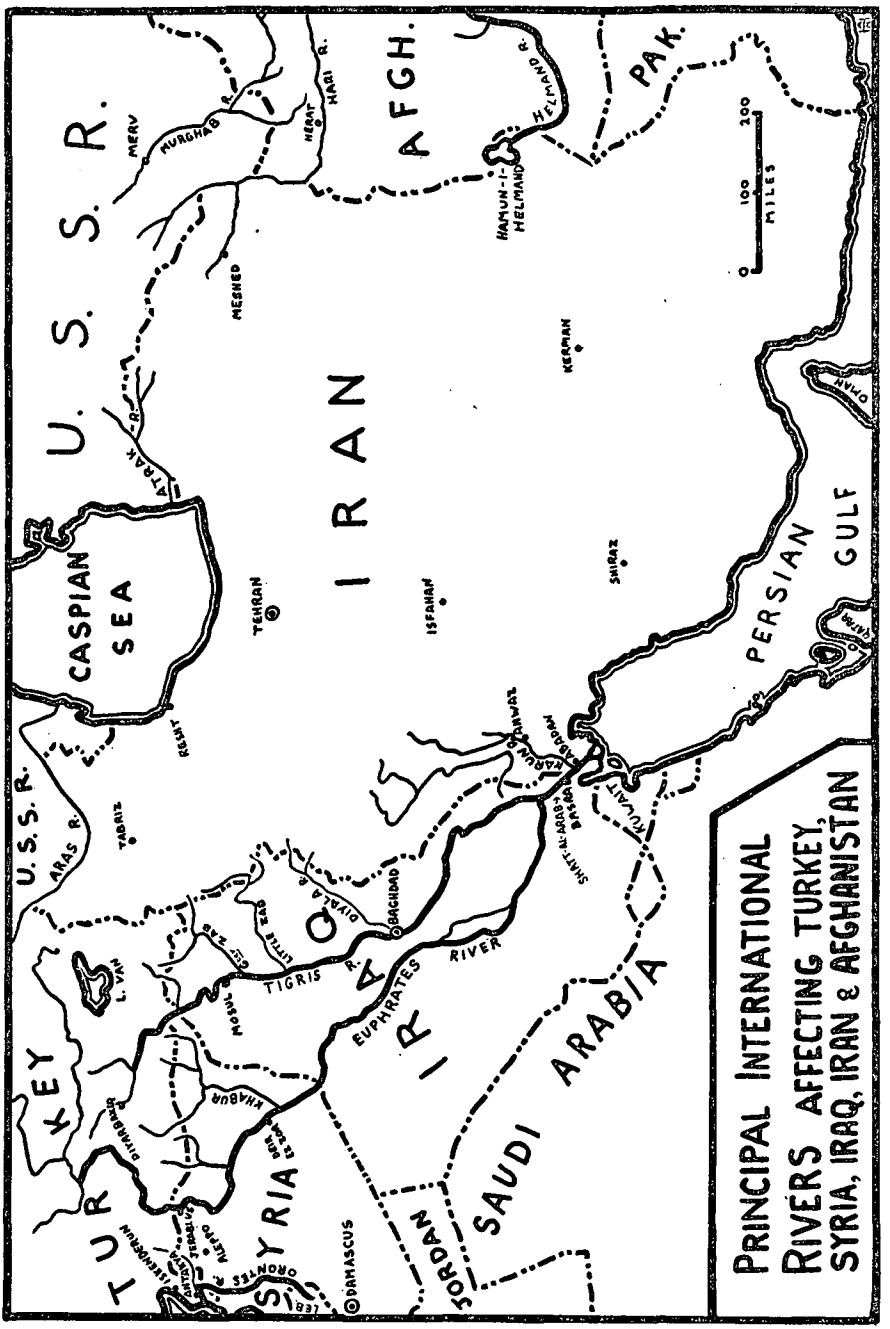

PRINCIPAL INTERNATIONAL RIVERS AFFECTING TURKEY, SYRIA, IRAQ, IRAN & AFGHANISTAN

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Not all the rivers that flow southward from Turkey join the Tigris-Euphrates system. The Afrine and the Karasu empty into the Mediterranean; the latter forms a section of the Turkey-Syria boundary, while the former flows from Turkey into Syria and thence back into Turkey. The Kweik rises in Turkey and loses itself in a Syrian swamp south of Aleppo; because of heavy Turkish diversions of its waters, little is left for the Syrians to utilize. As for the Afrine and the Karasu, their importance is great for the localities they water—and in both countries plans are being drawn for their utilization. They merge with the Orontes before reaching the sea; thus Lebanon and Turkey are partners on the Orontes Basin.

Nature of Rights

In general, the rights of any country with respect to a river pertain only to that section that lies in its territory and under its sovereignty. More precisely, the rights of the country pertain to the river bed rather than the water, as it is limited by international law in what it may do with the water; and what it can do with the water may be done only as long as the water is in that part of the river bed in the particular state's territory. A river that crosses the borders of a country remains under that country's jurisdiction only as far as the border of the next country, where the river becomes part of the territory of a different state. In cases where the river itself forms the boundary, some treaty provision is usually made concerning the sections of the river that form the boundary, indicating precisely where in the river the boundary line is located; usual Middle East procedure is to designate the *thalweg* ("the line of the deepest depression of the river bed") as that line.

The territorial right to a river is not expressly granted; it is inherent in the sovereignty of the country. What one does find in the Middle East, as elsewhere, are attempts to limit this absolute right by treaties expressly enjoining the two countries concerned to refrain from tampering with the waters of the river to each other's detriment, or to the detriment of one of them, without mutual consultation. The earliest agreement of this nature seems to have been the one reached concerning

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the Helmand River as a result of the Goldsmid Arbitration of 1872 between Persia and Afghanistan. Such limitations, however, are often inherently negative; for, while they serve to prevent disputes, they may also delay, hinder and discourage the development of international rivers.

A radically different approach is reflected in the more modern international agreements on Middle East rivers. These often provide for positive coöperation between countries; they may call for joint investigations of water resources and river projects, and may provide for the possibility of the construction, in the territory of one state, of installations designed to benefit the other state. Such provisions were included in the 1920 Convention between France and Great Britain with respect to their mandated territories in Palestine, Mesopotamia and the French Levant; even more progressive are the terms of the 1946 Treaty of Friendship between Turkey and Iraq.

Still another approach is embodied in agreements such as those between France and Great Britain of 1922 and 1926, which granted, to the inhabitants of Lebanon and Syria, broad rights of water utilization with respect to the river Jordan above the southern tip of Lake Galilee; these rights included irrigation, watering of flocks, and fishing. The 1922 and 1926 agreements granting these rights based them not upon the fact that Lebanese and Syrian tributaries contribute water to the Jordan, nor upon the proximity of the boundary line to the river (which would be true of the Syrian, but not of the Lebanese, border). Rather, they were based on the fact that these rights had been enjoyed by the inhabitants of these two French mandates before an international boundary had been established, separating them from the river. Treaties of this kind buttress existing rights, maintaining them in the face of changes which would have abrogated them.

Treaties which grant rights, such as those mentioned above, outside the scope of national sovereignty—sometimes practically in spite of this principle—are still the exception rather than the rule in the Middle East. In other parts of the world, better utilization of international rivers was one of the first purposes which united modern nations in international commissions and

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international coöperation in peacetime. The nature of this utilization—for navigation, not irrigation—accounts for the difference in international river coöperation between the rest of the world and the Middle East. Navigation is non-exhaustive, and the real issue is rarely navigation but free trade. Irrigation uses up limited supplies of water—and in the Middle East the over-all supply of water is very limited. The competition which surrounds the exploitation of the rivers is enhanced by the fact that in the Middle East a balance of power has not yet been reached, and countries still jockey for positions of power and prestige. But, as the political problems of the area are resolved, the rivers, now foci of strife, can become cords of unity; they form a pattern of interests, a network of rights, that binds together the various countries through which they run.

In the absence of international agreement and coöperation, each country will tend to exercise its full sovereign rights with respect to the river section under its control. On the other hand, the upstream states are, by international law as well as by reason of prevention of armed conflict, restrained in utilizing these waters to such a degree as seriously to affect the economy of the downstream state. However, international comity is often inadequate and, when it breaks down, passions are aroused concerning the utilization of the disputed waters; in the case of the Indus Basin and perhaps of the Jordan, water has already brought the countries involved near the brink of warfare.

Nature of Disputes

The primary issue in nearly all the Middle Eastern river disputes is, purely and simply, the allocation of the water resources of the particular basin among the various states of the basin. In the case of some rivers, only two countries are involved; in the case of others, three or four countries compete for the finite amount of water a river carries. Irrigation is an exhaustive type of water utilization, which calls for measurable and definite expenditures of water in the irrigated areas;[3] every

[3] The actual amount of water required annually for the irrigation of a unit of area is called *water duty*. This is not an absolute amount, but will vary from place to place according to climate, rainfall, soil, evaporation rate, and the type of crop planted.

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gallon allocated to one country reduces the area which can be irrigated in another. Furthermore, the increase in economic planning in these development-conscious countries tends to increase their respective water claims. These hard facts are what has made solution of these disputes so difficult.

Principles have been marshaled. There is always one side claiming "prior appropriation", that is, basing its claim for continued and unimpaired supplies of water on the principle that existing water rights must first be respected and met before any new claims can be entertained and satisfied. As against this, the principle of "equitable apportionment" is usually presented. Existing uses of water by one country may exceed the reasonable share to which that country may equitably have a right. The prior appropriation may be wasteful; it may be possible for the prior appropriator to cut down on his water consumption from the particular river, either by rationalizing his irrigation procedures, or by getting water from elsewhere. In an area where until recently countries did not determine their own fate but were ruled by foreigners, prior appropriation may simply reflect the fact that one area was favored by its European masters over another area which may have been neglected by the same or by different foreign rulers. The principle or prior appropriation may be fair in that it respects historic rights, but it may also be unfair in that it perpetuates inequalities for which neither the people of the area with a well-developed irrigation system are to be praised, nor the people with a less-developed irrigation system to be blamed. Furthermore, modern technology now makes it possible to irrigate areas which were viewed as unusable or as hopelessly marginal fifty years ago. In such a situation, should "historic rights" block economic progress?

Until a river dispute is solved, relations between the countries involved are embittered; their economic development may suffer as well. The downstream country, of course, feels itself deprived of, and therefore unable to benefit from, waters to which it feels itself entitled. The upstream country too suffers, because its economic planning is handicapped by the uncertainty as to how much water of the particular river it will be able to enjoy in the future. Modern irrigation in arid areas is no

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longer a matter of casual, primitive diversion of water from the river onto the banks. Large projects are involved, designed to irrigate land not necessarily adjacent to the river. The investment of money and effort required is such that it cannot be undertaken until it is known what the exact share of water will be to which the project-building country will be entitled. That is why, generally, both sides are in agreement that some solution must be found which will satisfy the entire drainage area, the entire watershed basin, of the river or river system.

But behind this initial agreement, disagreement lurks. In the case of the Indus River Basin, there is wide disagreement between India and Pakistan as to what area is in, and what area outside, the watershed of the Indus system. The divergence of views involves about one tenth of the total area of the watershed, but a much higher proportion than that as far as the irrigable area of the watershed is concerned. Pakistan maintains that this area in India borders upon but is not part of the watershed area of the Indus system, and that although this area *can* be irrigated from the Indus system, and partially (that is, to the degree that it has been irrigated at all) has been hitherto, this area is to be considered separately, merely as "commandable" from the Indus; Pakistan has suggested that it can be irrigated just as well from nearby Indian rivers. India has maintained that this area is part and parcel of the watershed area of the Indus and that it is entitled to be counted when apportionment of the Indus waters is made on the basis of area which can and should be irrigated from the Indus River system.

Questions of watershed area also have played a major rôle in the Jordan Valley dispute. Here the delineation of the watershed area is well known and not subject to disagreement; but the question has arisen as to whether the water resources of a river should be restricted to the watershed area until its needs are fully met, or whether a state that is partially within the watershed area has the right to demand that waters be allocated to it for the development of other parts of that state which are, admittedly, well outside the watershed. Israel has maintained its right to use the waters of the Jordan for the irrigation of the Negev—well outside the watershed area—as

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well as of other parts of Israel. It has partially based its claim on the fact that the Jordan is the only major water resource it has; and, secondly, that the water duty in the areas in the Negev to be irrigated from the Jordan is less than that in the lower sections of the Jordan Valley, and that therefore the waters of the Jordan will be put to much better and more economical use in the Negev than in the very hot and arid sections of the lower Jordan watershed area that lie in the Hashemite Jordan Kingdom. The Arab states, and especially Jordan, have maintained that there exists a moral obligation first to satisfy the needs of the watershed area, regardless of water duty, before areas well outside the watershed area are irrigated from the particular river.

In Europe and North America priority of purpose of water utilization has been a frequent cause of dispute. Such differences of interest as navigation *versus* irrigation, sanitary needs *versus* navigation, and conflicts of other purposes have been frequently the cause of international or interstate river disputes. But in the Middle East, this kind of conflict of interest has hardly ever arisen, for here it has always been primarily the irrigation needs of one country *versus* the irrigation needs of another.

A sort of priority question has become part of the Indus Basin dispute. Here a considerable Pakistani area has been watered by *sailab*—inundation canals—which are primitive, hence simple and inexpensive, but which, not being controllable as to volume of water, consume an inordinate amount of water in comparison to regular, weir-controlled, irrigation canals. The Indus Basin Commission (Rau Commission) earlier had dealt with this question, and in its 1942 report stressed that the *sailab* interest must yield and priority must be given (against compensation) to the regular irrigation canal whose water can be controlled in terms of the exact needs of the area to be irrigated, thus preventing waste of water. In the current Indus Basin dispute, India has insisted that the *sailab* system cannot be respected, while Pakistan seems most reluctant to yield in principle on this point, as the conversion from *sailab* irrigation to regular weir irrigation is indeed very costly. Underlying

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Pakistan's position seems also to be a desire to inflate its water needs as against India's, while the reverse probably is reflected in India's position. Fortunately for the solution of the problem, Pakistan is gradually replacing *sailabs* by weir-controlled canals, so that this aspect of the Indus Basin dispute is gradually fading out.

So much for the core of these disputes. But there exist a number of secondary issues which have become involved in some of these river disputes; even if only in passing, some of these other factors ought to be mentioned here.

The Indus River Basin dispute is part and parcel of the bundle of issues that divide the two countries of the subcontinent. India has a definite animosity toward the country which, against the hopes and wishes of the vast majority of Hindus, broke away from unified India. Besides this animosity which antedates Partition, there is the question of Kashmir, which Pakistan has several times tied to the problem of the Indus Basin. Three of the seven rivers of the Basin enter Pakistan from Kashmir. Implied in the control of Kashmir is additional control over these rivers, and hence over the Basin as a whole. There is also the question as to how much water from these rivers could or should be used, within Kashmir, for the improvement of that area. To this question, too, India and Pakistan have differing answers. The latter has made it clear that Kashmiri utilization of these rivers' waters must be limited by common agreement on that point between the two countries, at least as long as most of Kashmir is politically tied to India.

Even questions of agricultural policy have entered the dispute. There has been, in recent years, a shift in West Pakistan from the cultivation of wheat to the cultivation of cotton—in competition with Indian cotton. The wheat fields required maximum water late in the agricultural year (wheat is a *rabi*, or winter, crop) while cotton in Pakistan, as in Indian Punjab, requires maximum water earlier, during the *kharif*, or summer, season. India has been quick to point out that this shift accentuates the clash of water interests in the basin, by increasing the coincidence of water demands by Pakistan and India.

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Not dissimilar factors complicate the Jordan River dispute. First of all, there is of course the continued war-like tension between the Arab states and Israel; the over-all Arab-Israel issue has prevented the consideration of the various schemes for the development of the Jordan Basin on their own merits. It is not possible for Israel and the Arab states to discuss the question of the Jordan River separately from other controversial questions, such as the territorial question and the refugee problem. Furthermore, disagreement on the meaning and implications of the Israel-Syria Armistice Agreement has become involved with irrigation and related development questions. When, in 1951, Israel began to carry out certain reclamation works in the Huleh marshes within the demilitarized zone, Syria objected because the project would upset the *status quo* of the demilitarized zone, and might allegedly give Israel a certain position of strength in that zone, which, unless Syria consented, would have been contrary to the terms of the Armistice Agreement. Similarly, Syria objected in 1953 to the construction of a canal (in connection with a hydroelectric plant) which was to tap the Jordan inside the demilitarized zone; among the arguments were that Syrian water interests within and along the demilitarized zone would suffer, and that the canal would be of military advantage to Israel. The Armistice Agreement provides no real machinery for solving this kind of dispute, short of appealing to the Security Council of the United Nations, where, in fact, both these issues (the straightening of the course of the Jordan and the hydroelectric canal) were partially resolved in Israel's favor. The fact that the demilitarized zone straddles the river is a hindrance to any development Israel may want to carry out on this part of the Jordan. As for Syria, she has claimed that she has the same rights to the Jordan within the demilitarized zone as Israel, a claim whose validity has not been corroborated by the Security Council. Syria has not, so far, carried out any diversion of water from the Jordan. There was talk in the spring of 1954 that the Syrian army might divert one of the Syrian tributaries of the Jordan in order to deprive Israel of its waters; but that diversion was later declared impracticable because of costs.

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In the meantime, Syria and the Hashemite Jordan Kingdom are coöperating in a project of their own on the Yarmuk, the Jordan River's most important tributary. The 1953 Convention between the two countries laid the groundwork for their joint Yarmuk River hydroelectric and irrigation project. Money for this development is contributed in part by the United Nations (in connection with Arab refugee employment) and United States Point Four aid. The installations to be built may, upon completion, consume nearly the entire water supply of the Yarmuk; in that case, Israel would be deprived of the Yarmuk's waters, which have hitherto irrigated the fields of several Israeli settlements in the so-called Yarmuk Triangle, immediately south of the Sea of Galilee. Syria's participation in the Yarmuk project would seem to be inconsistent with the principles set forth by Syria herself in her definition of what may, or may not, be done in the Israel-Syria demilitarized zone (which also includes areas riparian to the Yarmuk, including this river to the *thalweg*).

Even among countries where such a violent hostility as among Israel and the Arab states, or between India and Pakistan, does not exist, agreement on river problems has been hard to achieve. There seems to be, throughout the Middle East, a serious lack of good will, caused by hostility that has, with time, become dormant antipathy. A 1952 agreement between Syria and Turkey was not ratified by the latter's Grand National Assembly because the Turks wanted the agreement to cover all of the rivers of common interest (including those flowing from Syria *into* Turkey) and not just the Jaghjagh and Baligh rivers (which flow *into* Syria) which were the subjects of the agreement. This feeling is connected with Syrian plans for the Orontes and with current Syrian use of the Afrine—rivers important to Hatay province, still a sensitive spot for both countries. Before Syria would be able to reach agreement with Turkey on the Orontes, it must reach agreement on this river with upstream Lebanon; agreement with the Lebanon is especially required if Syria wishes to carry out large-scale projects on this river as suggested by, and with the possible help of, the International Bank for Reconstruction and Development. Since the Bank's mission to Syria returned to Washington to write its report

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(submitted to the President of Syria in April 1955) Lebanon, itself not too friendly to Syria for political and economic reasons, has indicated renewed interest in projects of its own on the Orontes.

The Helmand River flows for over four hundred miles through southern Afghanistan, then crosses into Iran in a marshy delta which ends in the Hamun in Iran's Seistan province. Questions of use of the Helmand's waters by the two countries have complicated their relations for over a hundred years. The present dispute seems to have developed as a result of the increasing "development-consciousness" of Iran and Afghanistan in the years following World War II. Seistan province is one of Iran's leading agricultural areas, and its Helmand-watered irrigation system is very old. On the other hand, the Helmand, watering so much of Afghanistan, is, together with its Arghandab tributary, the key to Afghan agricultural development.

There is then the more fundamental question as to whether countries, when seeking agreement on specific rivers, should in fact base the discussions on the total river and water resources of each. Pakistan has often stressed the fact that India is much richer in water resources than (West) Pakistan. Jordan has made the point that Israel has some independent water resources, while Jordan has much less water. Afghans have emphasized that the Helmand, which waters so much of their country, is of importance to but a small corner of Iran. So far, the approach has generally been to restrict whatever discussions have taken place to the specific rivers involved.

Conversely, there is the question as to "moral rights" to supplies of water entirely within the territory of one country, and within another watershed, but which cannot be used there because they are too plentiful in proportion to the irrigable area through which they flow. Specifically, Israel has pointed to the Litani River, whose abundant waters cannot, according to all estimates, be used up in the Lebanon; estimates of the amounts of Litani water usable in the Lebanon for irrigation vary from one third to four fifths of the yearly flow, the balance being wasted to the sea unused. Israel has several times proposed (notably in the Cotton Plan) that these waters should be integrated in a

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general plan for the Jordan Basin—a suggestion the Arab states in general and the Lebanon in particular reject. But in at least one Lebanese newspaper, Israel's point of moral right has been granted reluctant recognition—even if only in so far as to urge that the Lebanon try to create projects which will use up all the waters of the Litani so that Israel's claim will be without basis.[4]

In order for river disputes to be permanently settled, there must be agreement among all the partners of the river basin. So far, however, no basin-wide negotiations (except, of course, on bilateral basins) have taken place.[5] Afghanistan and Tibet have both been left out of the Indus Basin negotiations conducted by India and Pakistan with the assistance of the World Bank (Tibet is not a member of the Bank; Afghanistan is, since July 1955). An agreement on the Indus, or on any other river, made among some but not all of the countries in the basin may boomerang to the disadvantage of one or more of the downstream countries. In the Indus Basin, agreement between Pakistan and Afghanistan on their respective utilization of the Kabul River is complicated by the Pushtunistan issue, which has generally strained the relations between the two countries, and which centers on the very districts through which the Kabul River flows. Agreement between Pakistan and Tibet seems even more difficult to imagine. While it is true, as the World Bank pointed out in its proposals for the Indus Basin, that "the mountainous topography [of Tibet] is unfavorable

[4] See the editorial by Kesrouan Labaki in *Commerce du Levant*, October 12, 1954: ". . . on nous dit aujourd'hui que pour couvrir ses besoins le Liban n'utilisera que le tiers environ des eaux [du Litani]. Pourra-t-on, dans ces conditions, empêcher Israël de réclamer les deux autres tiers?" (". . . we are now told that to satisfy its needs, the Lebanon will use only about one third of the waters [of the Litani]. This being the case, how can Israel be prevented from demanding the other two thirds?") See also the editorial article by the same writer in *Commerce du Levant*, November 20, 1954.

[5] President Eisenhower's Special Envoy, Eric Johnston, has, however, been negotiating with the four countries of the Jordan Basin, and in addition with Egypt. But his discussions with these various governments do not really represent basin-wide negotiations, inasmuch as there has been no direct negotiation between Israel and its several neighbors. Iraq, Saudi Arabia and Yemen, although not within the Jordan River Basin, have been, as members of the Arab League, indirectly involved in the discussions of the Johnston Plan.

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for irrigation development", the Bank's conclusion, that "therefore, the unhindered use by Pakistan of its waters seems assured", would seem to be less certain; there is always the possibility of water diversion for political rather than economic motives. If apportionment of waters between India and Pakistan according to the Bank's plan is agreed to by these two countries, Chinese diversion of the waters of the upper Indus will have a much more crippling effect than hitherto on Pakistan agriculture, which, under the Bank's plan, relies most heavily on the Indus. India will be unlikely to be willing to make up, from its portions of the Basin, amounts of water China may divert unless such a provision is included in the India-Pakistan agreement. With Pakistan allied to the United States, bilateral agreement on the quadrilateral Indus Basin may invite such Chinese action, or the threat thereof in connection with other political questions. Certain new and still hazy Chinese territorial claims with respect to adjoining Kashmiri areas also may further complicate matters.

The fact that, in general, boundaries in the Middle East have been drawn without regard for the practical questions of river exploitation and river rights has, in many instances, seriously complicated matters. The Pakistan-India boundary was drawn with reference to the creed of the population, and takes little account of rivers or irrigation canals; the boundary crosses and re-crosses sections of two rivers, complicating the rights to the respective river sections. The 1922 definition of the Palestine-Syria boundary as a line running generally less than one hundred meters to the east of the Jordan River placed the entire river under Palestine jurisdiction in that area; but the artificiality of the arrangement which separated the Syrians from the river according to international law gave rise to a sort of "riparian irredentism" on the part of Syria—a feeling which has become manifest since the Arab-Israel war. The Syria-Transjordan boundary on the Yarmuk was drawn with reference to a railway line, with the boundary moving from the *thalweg* of the river to well up on the southern shore every time the railway track crosses the stream—again a serious complication of river rights. The Karasu would flow entirely under

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Turkish jurisdiction were it not that it forms the Syria-Turkey boundary for fifteen miles. On the other hand, the position of the boundary lines with respect to rivers can sometimes restrain countries from disregarding the river rights of their neighbors, by giving the latter the possibility of retaliation in kind. Turkey, generally upstream to Syria, is downstream to it on the Orontes, and both upstream and downstream with respect to Syria on the Afrine. Israel is upstream to Jordan on the Jordan River, while the Hashemite Kingdom is upstream to Israel on the Yarmuk; Israel is downstream to Jordan on the bottom end of the Jordan Basin—the southern half of the Dead Sea.

Attempts at Solution

No major river dispute in the Middle East has yet been resolved, although several of them are now being discussed—the major disputes with the help of or through the mediation of third parties.

The International Bank entered the Indus Basin dispute after David Lilienthal pointed out, in a magazine article, that the Indus River dispute was a serious threat to peace, and suggested that here was a field of activity for the Bank. At the initiative of Eugene Black, the Bank's president, a preliminary conference was held in 1952. A thorough survey of the Basin was made by engineers from both countries and of the Bank. But the negotiations broke down. In February 1954, Mr. Black, in identical letters to the Prime Ministers of the two countries, suggested they adopt as basis for agreement the Bank's plan, worked out by the Bank's own engineers. This plan proposes the division of the Basin, giving India virtually full control over the three eastern rivers, and Pakistan virtually full control over the three western rivers. The Bank rejected the setting up of any permanent authority over the Basin as a whole. After some initial hostility to the plan by both India and Pakistan, the two countries agreed to a conference based on the Bank's proposal. Though negotiations are still in progress, the Bank's plan has been accepted in principle. Final agreement was originally hoped for by the end of September 1955; but, inasmuch as it was not "possible to bring the discussions to a success-

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ful conclusion by the specified date", the discussions were extended, first, until March 31, 1956, and thereafter apparently without a target date.

Less headway has been made by Eric Johnston in several trips to the Middle East. The plan he carried with him originally was drawn up by an American engineering firm, Charles T. Main, Inc., at the request of the United Nations Relief and Works Agency (which handles relief work for Palestine Arab refugees) and in consultation with the Tennessee Valley Authority. It mapped irrigation use of the Jordan waters within the watershed of the Jordan River, and does not contemplate integration of the surplus of the Litani River into the Jordan system. The original Johnston Plan has meanwhile been modified, in part, by counterproposals from Arabs and Israelis. The Arab plan would irrigate only a part of the watershed—only the valley of the Jordan, the so-called Ghor and Zor strips; the Israelis have indicated willingness to drop their insistence on the inclusion of the Litani in a Jordan Basin scheme. So far, Mr. Johnston has brought the two parties closer to each other, but has not yet succeeded in having them reach agreement. Following his latest trip to the Middle East, the Arab governments shelved consideration of the matter; Israel has announced that unless Arab agreement to the Johnston Plan comes soon, she will feel free to resume work on her own Jordan River projects.

In the meantime, Syria and Jordan are beginning to carry out projects on the Yarmuk, and Israel is proceeding with schemes which will involve use of Jordan waters. The Lebanese government, according to some reports, has decided completely against participation in a unified Jordan Basin development plan, and is intent on a project of its own on the Hasbani River, a major tributary of the Jordan. As a result, a *de facto* situation may be developing in the Jordan Basin remarkably reminiscent of the World Bank's plan for the Indus Basin: partition of the river network. Indeed, the Syria-Jordan plan would, upon completion, deprive Israel of virtually the entire water supply of the Yarmuk, while the parallel Israeli plans would leave hardly any water in the Jordan River for use by the Hashemite Kingdom. Against a background of hostility and mutual

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distrust, partition of the Basin seems indeed a most rational solution, should Eric Johnston fail in winning the two sides over to his plan for unified development; partition of the Basin would obviate prolonged if not continuous consultations which a unified development scheme would require. Currently, unified development still seems an elusive goal, while it appears more likely that the present trend toward a *de facto* partition of the Basin will continue. Such an arrangement then presumably would at some time in the future—at the conclusion of hostilities between Israel and its Arab neighbors—be blessed with legality, an acceptance of reality which the heavy cost of the installations which are being and will have been built by each side for its own schemes will require.

The Iranian and Afghan governments are negotiating about the Helmand River. An international commission, consisting of one American, one Canadian and one Chilean, the Helmand River Delta Commission, submitted its report to the two governments in 1951. Afghanistan has in the meantime accepted this report as the basis for further discussions.

So far, none of the Middle East river disputes has been submitted to the International Court of Justice. Pakistan has several times proposed such a step to India in connection with the Indus Basin problem. But, apparently feeling that a purely legal evaluation of the situation would favor Pakistan, India repeatedly has rejected the Pakistani proposals.

The reliance of the various parties to many of these disputes on outside help of third parties has already been commented upon. It is symptomatic of this entire problem. There is furthermore a preponderance of technical emphasis in the proposals for the solution of these river disputes, as if the problems were of an engineering nature only; the diplomat seems to follow the hydrologist and the economist, who do the scouting for a solution to the problem. Perhaps the technician is less encumbered with political baggage, and therefore in a better position to reach the goal of agreement with the other side; on the other hand, engineering solutions to political problems can be at times amazingly unrealistic.

If agreement is reached as a result of some of the negotiations

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now taking place, foci of serious disunity will be obliterated. Furthermore, the principles and modes of procedure which will have been evolved will become increasingly useful in the Middle East and elsewhere—wherever irrigation river disputes arise. As newly expanding economies in the Middle East and in other arid areas seek out additional rivers as new sources of water and wealth, such principles will be increasingly needed. For it is true today even much more than it was twenty-six years ago when Professor H. A. Smith wrote that

> These cases involving the economic use of international rivers are rapidly increasing in number and importance, and in future they seem likely to arouse more discussion than the questions of navigation rights which have hitherto furnished the main juristic interest of these waterways. The general principle of free navigation has now been so widely established that little remains to be done except to adjust its application to particular cases. But the group of problems connected with diversion is now introducing us to a chapter of International Law which is still in the making.[6]

Furthermore, this is one problem that even the advent of the atoms-for-peace age is not likely to solve completely. True, it may soon become possible to use atomic power to distill or refine sea water at a cost low enough to make it economically profitable to irrigate with it; but the fact will remain that river water costs nothing at all. Not only that, but "sweetened" sea water, processed at sea level, will have to be pumped uphill to inland areas where it is to be used, and this, of course, will require not only pumps and pipe lines but also continual expenditure of power to activate the pumps. Rivers, however, flow downhill: other things being equal, gravity flow will always be cheaper than pumped flow.

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[6] H. A. Smith, "Diversion of International Waters", *British Yearbook of International Law, 1930*, p. 195.

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FEDERALISM AND LABOR REGULATION IN THE UNITED STATES AND AUSTRALIA

THE field of labor regulation provides an interesting comparative study of the two federal states, the United States and the Commonwealth of Australia. The broad outline of the constitutional structure of Australian federalism was drawn from the United States Constitution, yet the insertion of a special reference to labor disputes in the Commonwealth Constitution, as a result of political conditions at the time of Australian federation, has not resulted in greater power accruing to the Commonwealth government than to its American counterpart. The overwhelming importance of the commerce power in the United States and its negligible importance in Australia indicate the widely differing effects of constitutional interpretation. Yet this is itself reversed, in the case of labor regulation at any rate, by a different social philosophy, a different political attitude to the question of equality of standards. It is instructive to trace the constitutional and political forces which have shaped the present structure of labor regulation in these two countries and to see the way in which a unique pattern of government activity develops within a framework borrowed from a country similar in many respects, yet differing also in fundamental ways.

The objects of this article, therefore, are:

1. To describe the differing constitutional positions concerning the regulation of labor in the United States and Australia.

2. To describe the standards of regulation instituted by federal and state governments in each country within these constitutional frameworks in sufficient detail to draw out the salient features, especially as regards uniformity or the lack of it.

3. To indicate the political attitudes in each country which are responsible for these differing patterns of regulation.

Let us look first of all at the American structure of labor regulation, its constitutional basis and its achievements.

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I. *The United States Federal Legislation*

In the United States, of course, no specific mention of labor regulatory powers is made in the Constitution. The authority for the major federal laws in this field is drawn from the federal power over interstate commerce. These laws are the National Labor Relations Act (the Wagner Act) of 1935 as amended by the Labor-Management Relations Act (Taft-Hartley Act) of 1947, and the Fair Labor Standards Act of 1938. These Acts regulate the processes of collective bargaining and set up minimum wage standards and maximum working hours, and control the use of child labor.

First let us examine the constitutional position as far as the Labor Relations Acts are concerned, for, with certain statutory exemptions, the potential coverage of these Acts is as wide as the commerce power itself.[1] They provide us, therefore, with an opportunity of discovering to what extent federal power over labor could be exercised if the federal government desired to push it to its limits under present constitutional interpretation.

It is significant that the history of the Labor Relations Acts falls into three distinct periods. The period 1935 to 1944 saw the delineation of the limits of the jurisdiction of the National Labor Relations Board by the Supreme Court. During that time all the jurisdiction cases that came before the Court were settled in favor of the N.L.R.B. From 1944 to 1950 no cases on the jurisdiction of the Board were decided by the Court, and the Board itself was left to decide, case by case, the coverage of the Acts. The third period commenced in 1951 when three cases were decided by the Court on the jurisdiction of the Board under the Taft-Hartley Act as applied to certain trade unions. The Court upheld the federal power in these cases also.[2] It seems, therefore, that the Court has passed the effective power of deciding the coverage of the Acts on to the Congress and the Board. Thus Mr. Justice Frankfurter has said:

[1] Russell A. Smith, *Labor Law—Cases and Materials* (Indianapolis, 1950), p. 117.

[2] N.L.R.B. *v.* Denver Building and Construction Trades Council, 341 U. S. 675 (1951); International Brotherhood of E.W. *v.* N.L.R.B., 341 U. S. 694 (1951); United Brotherhood of C. and J. *v.* N.L.R.B., 341 U. S. 707 (1951).

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> When the conduct of an enterprise affects commerce among the states is a matter of practical judgment, not to be determined by abstract notions. The exercise of this practical judgment the Constitution entrusts primarily . . . to the Congress, subject to the latter's control by the electorate.[3]

After the war, therefore, the N.L.R.B. found itself in a position in which it could virtually delimit its own jurisdiction. The important fact about the post-war decisions of the N. L. R.B., however, is that the Board has preferred *not* to push its jurisdiction to its ultimate constitutional limits. In many cases the Board has refused to take jurisdiction because to do so would be unlikely "to effectuate the policies of the Act".[4] Thus states have taken jurisdiction over areas which the N.L.R.B. has declined to process, either by agreement between the state and federal boards, or merely by the adoption of jurisdiction by state boards until ousted by the federal authority. In the 1948 dispute between Robert N. Denham, the general counsel to the N.L.R.B., and the Board itself, while not denying Mr. Denham's assertion that he could "conceive of very few businesses over which there is not at least technical jurisdiction,"[5] Mr. Hertzog, the chairman of the N.L.R.B., asserted that the Board did not wish to push its jurisdiction to the limits. The Board, therefore, in October 1950 set out definite rules on the limits within which it intended to exert its jurisdiction in the prevailing circumstances.[6]

It is true that the Supreme Court has at times suggested that there *are* limits to the federal power over commerce. For example, the Court has said that regulation cannot be carried to the point where control would be exerted over "effects upon

[3] Polish National Alliance of the U. S. *v.* N.L.R.B., 322 U. S. 643 (1944), at p. 650.

[4] Duke Power Co. case, 77 N.L.R.B. No. 103 (1948).

[5] *Hearings before Subcommittees of the Committee on Education and Labor and the Committee on Expenditures in Executive Departments*, House of Representatives, "Investigation of interpretation of the term 'affecting commerce' as used in the Labor-Management Relations Act, 1947", 1948, p. 18.

[6] See *Annual Report of the National Labor Relations Board, 1950*, p. 7, and revised standards declared in 1954, *Annual Report of the N.L.R.B., 1954*, pp. 2–5.

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interstate commerce so indirect and remote that to embrace them . . . would effectually obliterate the distinction between what is national and what is local and create a completely centralized government."[7] However, interpretation of the Commerce Clause by 1939 had gone so far as to make Mr. Justice McReynolds complain that "so construed the power to regulate interstate commerce brings within the ambit of Federal control most if not all activities of the nation."[8] And, indeed, federal courts have upheld the jurisdiction of the N.L.R.B. over a local dairy, a retail lumberyard, and a local bakery. In each of these cases certiorari was denied by the Supreme Court.[9]

From this history it is clear that the potential scope of federal power is very great. To what extent has this power been exercised? An estimate has been made by R. J. Rosenthal both of the total present coverage of the Acts, and of the numbers of workers exempted by statute or for other reasons.[10] These figures suggest that there are 10,301,722 "employees in businesses not 'affecting commerce' and/or over which the board does not wish to exert jurisdiction."

We conclude, therefore, that the federal power in this field is very wide, and that though there may well be a limit to federal power, short of complete coverage of all workers, that limit has not yet been reached. It seems quite certain that wide extension of the scope of federal regulation would be accepted by the Supreme Court. In fact, in the past, the Court has been prepared to go at least as far as the federal government in this

[7] N.L.R.B. *v.* Jones and Laughlin Steel Corporation, 301 U. S. 1 (1937), at p. 37.

[8] Dissenting opinion in N.L.R.B. *v.* Fainblatt, 306 U. S. 601 (1939), at p. 610.

[9] See cases cited in evidence of general counsel to the N.L.R.B. *Hearings before the Joint Committee on Labor-Management Relations on the operation of the Labor-Management-Relations Act, 1947–June 1948*, p. 1157. It should be noted that in certain cases lower courts have found against the jurisdiction of the N.L.R.B.; see cases cited United States Supreme Court Reports (Annotated), 83 L.ed. 696–8.

[10] R. J. Rosenthal, "Exclusions of Employees under the Taft-Hartley Act", in *The Industrial and Labor Relations Review*, July 1951, pp. 556–570. The figures he gives are:

Annual average civilian labor force	61,442,000	100.0%
Employees covered by Wagner Act	34,343,363	55.9%
Employees covered by Taft-Hartley Act	30,905,167	50.3%

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sphere. Both Congress and the National Labor Relations Board have gone out of their way to limit the extent to which their powers have been applied.

II. *American State Labor Legislation*

We have seen in the previous pages that federal legislation on labor relations and conditions has only a limited coverage. This is particularly true of the wages and hours and child labor laws. In 1954 the Fair Labor Standards Act covered some 24 million wage and salary earners out of a total civilian labor force of over 61 millions.[11] Thus there was great need, in the absence of adequate federal legislation, for the states to pass their own laws if uniform standards were to be set up throughout the nation. Let us examine, therefore, the condition of state legislation in the post-war period.

In the middle of 1954 only five states had minimum wage laws which covered men as well as women and minors, while twenty-one more states had minimum wage laws for women and minors only.[12] At the same date all forty-eight states had enacted some legislation on maximum working hours, although in Delaware, Tennessee, Vermont and Virginia no men were covered, while in some other states the coverage of male workers was restricted to those employed on public works or in very small areas of industry or transport.[13] Every state has adopted a child labor law applying to the employment of minors up to sixteen, eighteen, and in some cases twenty-one years of age. These state child labor laws "follow a well-defined pattern. Even so, they still vary widely in the standards or conditions they set up. They are also extremely uneven in the occupations to which they apply."[14]

The coverage of the federal Labor Relations Acts is much

[11] *The Annual Report of the Secretary of Labor, 1954*, p. 22.

[12] "Labor Laws and Their Administration: Proceedings of the 37th Convention of the International Association of Government Labor Officials", September 8–10, 1954, *Labor Standards Bulletin*, No. 179, 1955, U. S. Dept. of Labor.

[13] See "State and Federal Hours Limitations—A Summary", *Labor Standards Bulletin*, No. 116, 1950, and *Annual Digest of State and Federal Labor Legislation*, Labor Standards Bureau, Dept. of Labor, 1950 to 1954.

[14] "State Child Labor Standards", *Labor Standards Bulletin*, No. 98, 1949, p. v.

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wider than in the case of the Fair Labor Standards Act, yet because of the refusal by the National Labor Relations Board to assert jurisdiction over many fields of industry and commerce, there is a large area which does not come under federal regulation. However, only eleven states have passed comprehensive labor relations acts; four of these are of the nature of the Wagner Act, while the remaining seven incorporate both protective provisions and provisions restrictive of labor which were in the nature of precursors of the federal Taft-Hartley Act.[15] The wide coverage of the federal legislation in this field may account for the relatively small number of states with labor relations laws, but it should be noted that those states which have enacted such legislation contain nearly 40 per cent of the nonagricultural labor force of the country. The coverage of both federal and state acts together is therefore very great.

III. *Labor Regulation in Australia*

In Australia the history of industrial regulation is a long one, and one with its own peculiarities. The inclusion of the provision for federal regulation of labor disputes in the Constitution of the Commonwealth is an indication of the nature of Australian thought on the place of government action in this field. Our concern here is to see how far the constitutional structure of Australia has affected the development of its system of labor regulation. We shall, therefore, examine the labor legislation of Commonwealth and states before passing on to a comparison of the political forces underlying the American and Australian patterns of regulation.

The constitutional position in Australia concerning the regulation of labor is very stable. Recent High Court decisions, in this field, have been largely confirmatory of earlier well-established principles,[16] and there is on this topic an extensive literature.[17] We intend to do little more here, therefore, than

[15] See C. C. Killingsworth, *State Labor Relations Acts* (Chicago, 1948), pp. 1–3.

[16] E.g., Rex *v.* Kelly (1950), 81 C.L.R. 64, which affirmed the principle that the Arbitration Court, or a Conciliation Commissioner, might not make a "common rule".

[17] O. de R. Foenander has written much on the Australian industrial law. Most useful, perhaps, are his *Studies in Australian Labour Law and Relations* (Melbourne,

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to recite the more important points of constitutional law on this subject.

(1) The legislative power of the Commonwealth in this field is limited to "conciliation and arbitration for the prevention and settlement of industrial disputes extending beyond the limits of any one state". The Parliament may not legislate generally in the field of industrial regulation but only for the settlement or prevention of disputes.

(2) A dispute in which the Commonwealth can be possessed of jurisdiction must be a real and genuine dispute.

(3) "Industry" connotes a situation in which labor and capital coöperate. This covers "white-collar" and "black-coat" workers.

(4) State employees are covered by Commonwealth awards where the state carries on industrial or commercial undertakings, but where state activities are "regal" in nature, they are not covered.

(5) An industrial dispute "extends beyond the limits of any one state" when either the disputants or the subject matter of the dispute is located in, or relates to employment in, two or more states of the Commonwealth.

(6) The law of any state must cease to operate if it is inconsistent with a valid award of the Commonwealth Arbitration Court.

It is essential, therefore, that we acknowledge and emphasize the fact that the scope and power of the Commonwealth government are severely limited as to both the manner in which the Commonwealth may legislate on industrial matters and the number of workers who come under its jurisdiction. The numerous referenda which have been designed to alter this state of affairs have all resulted in a refusal to extend the power of the Commonwealth over industrial matters. Accepting this as a situation which is unlikely to be altered in the near future, we must examine the conditions of Australian workers in 1954

1952), and *Industrial Regulation in Australia* (Melbourne, 1947). General descriptions can also be found in H. S. Nicholas, *The Australian Constitution* (Sydney, 1952), chap. xviii; and G. W. Paton, ed. *The Commonwealth of Australia: The Development of Its Laws and Constitution* (London, 1952), chap. 12, "Individual Law", by Geoffrey Sawer.

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in order to see what effect this restriction of Commonwealth power has had upon labor standards.

In Australia, as in the United States, large numbers of workers come solely under state regulation as far as their labor conditions are concerned. The jurisdiction of the Commonwealth Court of Conciliation and Arbitration is restricted to the prevention or settlement of industrial disputes extending beyond the borders of any one state, and thus it is difficult at any one moment to say how many workers are subject to its awards. But those workers who are organized in unions of more than one hundred members[18] are potentially under federal regulation as they can quite easily ensure that an interstate dispute covering them can be engineered.[19] The actual coverage of federal awards is, however, wider than the union membership; for, although the Court is precluded from making a "common rule" for an industry,[20] it can nevertheless make awards covering nonunionists employed, or to be employed in the future, by employers who are party to a dispute.[21] We can, therefore, get some idea of the present coverage of Commonwealth awards from the figures of trade unionists in 1953. In that year the total number of wage and salary workers in civilian employment (excluding employees in rural industry and female private domestics) was 2,560,500 of whom 1,679,758 were members of trade unions.[22] Of these, 99.8 per cent belonged to unions of one hundred or more members, but unions actually registered with the Commonwealth Court had a membership of only 1,378,200 representing 82 per cent of the total membership of all trade unions. The membership of unions and the unions registered with the Commonwealth Court have both grown tremendously over the years, but the

[18] Commonwealth Conciliation and Arbitration Act, 1904, sec. 55 (1) (b).

[19] *Essays on the Australian Constitution*, R. Else-Mitchell, ed. (Sydney, 1952), p. 208.

[20] Australian Boot Trade Employees Federation *v.* Whybrow and Co. (1910), 11 C.L.R. 311 (Whybrow's Case).

[21] Metal Trades Employers' Association and Others *v.* Amalgamated Engineering Union and Others (1935), 54 C.L.R. 387.

[22] Figures of union members etc. are taken from the 1953 *Labour Report*, Bureau of Census and Statistics, Canberra.

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fact that large numbers belong to unions which are still not registered with the Commonwealth Court is some indication of the extent to which state regulation has satisfied these workers when compared with Commonwealth awards.

These figures indicate that many workers depend upon the states for the maintenance of their working standards. Each of the six states has legislation setting up Industrial Courts or Wages Boards with power to fix wages, hours of work and other conditions. As far as the basic wage is concerned, a close uniformity is achieved throughout Australia. In three states, New South Wales, Victoria and South Australia, legislative provision is made for the state tribunals to follow the awards of the Federal Court in the declaration of the basic wage,[23] while in the other states the Commonwealth awards are closely followed. This is illustrated by the following table which sets out the Commonwealth and state weekly basic wage awards for the six capital cities applicable in November 1954.[24]

	Commonwealth Award	*State Award*
New South Wales	243/-	243/-
Victoria	235/-	234/-
Queensland	218/-	225/-
South Australia	231/-	231/-
Western Australia	236/-	246/6
Tasmania[25]	242/-	242/-

These figures clearly show that a high degree of uniformity exists as regards the basic wage. Western Australia has had in operation a higher basic wage award than the Commonwealth award for Perth, at least since 1929. Queensland also has frequently had a higher rate than the Commonwealth award. The degree of uniformity achieved at the present time is perhaps

[23] New South Wales, Industrial Arbitration (Amendment) Act (No. 9 of 1937); Victoria, Factories and Shops Acts, 1934 and 1936; South Australia, Industrial Code Amendment Act (No. 65 of 1949, and No. 20 of 1950).

[24] Source: *Labour Report, 1953*, pp. 57 and 80.

[25] No state award is declared in Tasmania but Commonwealth awards are generally followed.

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not as great as these figures suggest, for the quarterly adjustment of basic wage rates by the states has not always conformed to dates of Commonwealth adjustments, but in the past this has been no more than a detail.[26] What is important is that state tribunals have assured a generally uniform basic wage throughout Australia.[27] This then ensures the satisfaction of those whose social philosophy demands equal treatment throughout the land.[28]

Turning now to the question of maximum working hours, the most important facts are the decisions of the Commonwealth Court of Conciliation and Arbitration to fix a 44-hour week (in 1927) and then a 40-hour week (in 1947). Legislation introducing a 44-hour week in state-regulated industries had been passed prior to the Commonwealth Court's decision, by New South Wales in 1926 and by Queensland in 1924. In other states, however, the achievement of this standard was left to state tribunals and it was not completed until 1941.[29] It was a very different story with the change to the 40-hour week. Once again New South Wales established the new standard before the Commonwealth Court made its award, and although the decision of the Court was not given until 8 Septem-

[26] The decision to suspend quarterly adjustments of the basic wage announced by the Commonwealth Court of Conciliation and Arbitration in September 1953, in view of the prevailing inflation, resulted in similar suspension of quarterly adjustments in New South Wales, South Australia, Western Australia and Tasmania, and also in Queensland, but in the last-named state only in February 1954, thereby resulting in the development of a sizable gap between Commonwealth and Queensland rates. Victoria initially suspended quarterly adjustments but resumed them by legislation in November 1953. (See *Labour Report, 1953*, pp. 72–80.) The general uniformity between Commonwealth and states rates thus survived, initially at least, a considerable shock. It is too early to conjecture what might happen should the Commonwealth Court maintain its ban on quarterly adjustments over a long period of rising prices. The New South Wales government recently announced its decision to resume quarterly adjustments in the state basic wage. *The Times* (London), August 10, 1955, p. 7.

[27] It should be noted that state legislation may not apply to all groups of workers in the state. Some, such as market gardeners and other rural workers, may be excluded.

[28] Such uniformity is not so noticeable in the field of the basic wage rates for adult females. In Queensland and in Western Australia in 1954 these tended to be well below Commonwealth rates. *Labour Report, 1953*, pp. 57 and 80.

[29] *Labour Report, 1950*, p. 72.

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ber 1947, by the beginning of 1948 the other five states by legislation or by decisions of industrial tribunals had all adopted the new working week.[30]

This uniformity is not universal throughout Australian labor legislation. The legislative provision for workmen's compensation, as in the United States, is largely in the hands of the state governments.[31] There is great variation between state laws in this field, and in the benefits which they provide. In the opinion of one expert, "in this as in other fields the time for some approach to uniformity is long past."[32]

IV. *Politics and Labor Legislation*

In the two previous sections of this article we have described the way in which the regulation of labor conditions and labor relations has responded to the constitutional and administrative aspects of the federal structure in the United States and Australia. In a sense what we have been discussing might be called the "mechanics" of federalism: the way in which these countries operate the machinery of government in the special circumstances of a federal constitution, and the results which have been achieved. However, there is a great deal more to be learned from the experience of these countries by looking at the "dynamics" of labor regulation—labor politics—without an understanding of which the real significance of these patterns of regulation is lost. By looking at the political realities which have formed the patterns of labor regulation in the United States and Australia we may form an opinion upon the real importance and significance of constitutional forms.

Briefly what we have learned from previous pages is this. In the United States the constitutional limitations upon federal regulation of labor have not operated to restrict such regulation since the middle of the nineteen-thirties; at the same time, while many state governments have passed protective legislation, many have failed to do so and others have actually passed

[30] *Ibid.*, p. 73.

[31] The Commonwealth has legislated for workmen's compensation for federal territories and for seamen engaged in interstate commerce.

[32] Sawer, *loc. cit.*, p. 290.

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legislation restrictive of labor. In Australia, on the other hand, we have a very different picture. The Commonwealth government has clearly found itself limited by constitutional factors, and the limits of possible future extension of such legislation (without constitutional amendment or without a somewhat radical change in judicial interpretation) are very real. But the state governments of Australia have, either by legislation or by administrative practice, instituted labor protective standards generally as high as or even higher than Commonwealth standards. We may say then that in the country where constitutional limitations are more significant a more complete coverage of labor legislation has been achieved and a very much higher degree of uniformity has been established throughout the nation.

The state of labor legislation in the United States in 1950 can be explained only in terms of the political forces which were at work on both Congress and the state legislatures during the preceding twenty years. There were, and still are, important factors which have produced the rather extraordinary patterns of coverage and standards in the American legislation:

(1) The catastrophic depression of the early nineteen-thirties raised a storm of indignant protest from labor and its supporters, which was not to be denied. The swift passage of the National Industrial Recovery Act and the relative ease with which the later National Labor Relations Act was passed are suitable indications of this feeling and its impact on Washington. However, almost as soon as the feeling was aroused it began to abate. And this abatement of the sympathetic attitude toward labor has continued to the present date. The increase of the pressure on Congress, even by 1937, for the limitation of the benefits to be bestowed upon labor is seen in the smaller general coverage of the Fair Labor Standards Act of 1938 and the insertion of a number of exemptions to that Act which were not incorporated in the National Labor Relations Act. The force of this anti-labor sentiment was clearly expressed in the Taft-Hartley Act of 1947. In 1949 the question of the coverage of the Fair Labor Standards Act was raised by the introduction of bills into Congress designed to made the Act applicable to enter-

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prises "affecting commerce" on the same basis as the National Labor Relations Act;[33] the House Committee on the bill rejected this proposal while the Senate Committee on Labor and Public Welfare refused even to consider the topic in its report.[34]

(2) Parallel with this growth of anti-labor sentiment was the decline in the militancy of the labor organizations themselves. They tended to concentrate upon consolidation of earlier gains, rather than on attempting to widen the scope of their activities. As Samuel Lubell has expressed it, "The labor dynamo has slowed down."[35] He has also pointed to the fact that the American labor unions in the past have been by no means united in their approach to questions such as labor regulation or government controls generally. The unions have geographical, sectional and craft interests which determine their attitude toward government, rather than any single doctrinaire approach.[36]

(3) The Congressional attitude during the past twenty years toward labor legislation is mirrored by the activities of state governments. A good example comes from state labor relations acts. Spurred on by the example of the Wagner Act five states passed "Little Wagner Acts" in 1937. These Acts were "labor protective" in character, but by 1939 the climate of opinion had altered sufficiently for two of these state Acts, those of Wisconsin and Pennsylvania, to be amended to include provisions restrictive of labor unions.[37] In the same year other laws of the restrictive type were passed in Minnesota and Michigan, and while two states—Rhode Island and Connecticut—have since passed "protective" legislation, in 1941 and 1945, respectively, restrictive laws have been passed by Kansas (1943), Utah (1947) and Colorado (1947). Perhaps more significant

[33] H.R. 2033.

[34] Report of House Committee on Education and Labor, Fair Labor Standards Act Amendments of 1949, *Report* No. 267, 81st Congress; Report of Senate Committee on Labor and Public Welfare, Fair Labor Standards Act Amendments of 1949, *Senate Report* No. 640, 81st Congress.

[35] *The Future of American Politics* (New York, 1952), p. 180.

[36] *Ibid.*, pp. 186–187.

[37] Killingsworth, *op. cit.*, pp. 1–3.

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is the large volume of legislation restrictive of unions, but not of a comprehensive nature, passed by state governments in post-war years,[38] including the passage of seventeen state "right-to-work" acts by mid-1954. There has been a certain amount of state legislation in recent years on the subject of fair employment practices, but this was due not so much to a movement in favor of labor as such, but was simply part of the developing campaign against race discrimination in general.

(4) The Democratic party has tended to be the party of Small Business and the Republican party the party of Big Business. This has meant that since 1933 there has been a great deal of pressure exerted by small business men's organizations for exemption from labor protective legislation. While the large businesses were unable to avoid regulation, the farmer was able even in 1935, on account of his depressed condition and his influence with the legislators, to get exemption for farm labor from the National Labor Relations Act. By 1937 the other small business interests were sufficiently strong to obtain a crop of statutory exemptions from the Fair Labor Standards Act.

(5) Business generally has been active in its efforts to keep subjects of government regulation under state, rather than federal, jurisdiction. As V. O. Key has pointed out,[39] this desire springs from the realization that the influence which can be exerted by business groups is generally much greater in the state legislatures than in Congress. However, as we have seen, constitutional limitations have not prevented Congress from ousting the states completely from the field of labor regulation; Congress has not tried to oust them.

These are, therefore, strong forces which have operated to limit the scope and content of federal labor legislation in the United States. These factors have very little to do with the federal structure of constitutional law, but they are the very stuff of "federalism" in the United States. That is to say, these are some of the real political impulses that underlie both

[38] *Ibid.*, Appendix, pp. 267–298.

[39] *Politics, Parties, and Pressure Groups* (New York, 1952), pp. 115–118.

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the federal structure of government in the United States and the lack of uniformity of regulatory legislation.

In Australia we found a pattern of labor regulation very different from that in the United States, and, as we should expect, the political factors involved are very different also. The most obvious and the most significant factor in the Australian scene is the importance of the Labor party. Both in the states and in the Commonwealth the Labor party was early in a position to affect very deeply the political life of Australia either by actually holding the reins of power, or by holding the balance of power by virtue of its early status as a strong third party. The Australian Labor party has always been deeply concerned with social legislation and not unnaturally the question of labor regulation has been an object of continuing interest to the party. We are concerned here, however, with an explanation of the reasons for the levels of labor conditions which have been achieved in the Australian states, and the fact that the Australian federal structure has not prevented the achievement of a high degree of uniformity in labor regulation throughout the continent.

It is significant that, although early state legislation setting up industrial arbitration systems was passed by both Labor and anti-labor governments, in the three states which have legislation requiring state tribunals to follow Commonwealth awards on the basic wage this legislation has been passed in the periods of power of non-labor governments. The motives which have brought about such legislation are various. They are:

(1) Political reasons in the narrowest sense. In New South Wales in 1937 the United Australia Party-Country Party coalition introduced the bill to bring about conformity of the N.S.W. basic wage to the Commonwealth basic wage in its last few months in office after five years during which the state basic wage awards had at times lagged behind Commonwealth awards In the view of Mr. John T. Lang, leader of the Labor opposition, the government was "on the eve of an election . . . anxious to throw a sop to the workers whom it has been exploiting the

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whole of the time it has been in office."[40] The Commonwealth Court had just declared a new basic wage making the gap between state and Commonwealth awards quite large, but, whatever the truth of the N.S.W. government's motives in this matter, it illustrates the importance of industrial legislation as a political factor in the Australian states, where labor is highly organized both industrially and politically.

(2) The desire for uniformity. Both employers and employees have at times favored uniformity between state and federal basic wage awards. Employers have found that higher Commonwealth awards put some of them at a competitive disadvantage. The employers in Victoria were particularly strong in their demands for a uniform law.[41]

(3) Fear of industrial unrest due to lower state awards. The Liberal-Country League Premier of South Australia was conscious of this fear in 1946 when the Commonwealth basic wage seemed likely to outstrip the state award.[42]

(4) A desire to retain state courts and tribunals, that is to say an expression of "states' rights" and a belief in the value of the existing federal, decentralized organization of labor regulation. Long and serious deficiencies between state awards and Commonwealth awards would ensure that unions would take the necessary steps to come under the higher awards of the Commonwealth Court, and would eventually leave state tribunals without anyone to regulate.

(5) The growth of a general belief in the need for, and the desirability of, uniformity in awards throughout Australia. As a Liberal member of the New South Wales Legislative Council said in 1950, in the debate on a bill[43] to keep the state basic wage in line with the Commonwealth wage following a new

[40] New South Wales, *Parliamentary Debates* (1937), p. 1077.

[41] See statement of Colonel Harry Cohen, Honorary Minister, Victorian *Parliamentary Debates*, 25 September, 1934, vol. CXCV, p. 2201.

[42] "In the event of the Arbitration Court granting a wage substantially higher than the state living wage, a chain of circumstances which would be highly undesirable are likely to arise. Workers under the state living wage would feel that they were being frustrated and the difference in wages would lead to industrial disputes and disruption." Hon. T. Playford, South Australia, *Parliamentary Debates*, 3 December, 1946, p. 1335.

[43] Industrial Arbitration (Basic Wage) Act, 1950 (N.S.W.).

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determination of the basic wage by the Arbitration Court in October 1950: "This bill emphasizes more than anything else that in this type of legislation we have to follow largely the footsteps of the Federal jurisdiction. . . . The court has given its judgment and, following upon that, *it becomes obvious* that the judgment must apply throughout Australia."[44]

The gradual growth of this belief and its increasing force and importance are indicated by the increased tempo of state action to bring state awards into line with changing Commonwealth awards. This has already been noted in the example of the speed with which the new 40-hour week was instituted in state jurisdictions compared with the institution earlier of the 44-hour week. As far as the basic wage is concerned it is admirably illustrated by the way in which the South Australian government has introduced legislation, *in anticipation* of changes in the federal award.

These factors have ensured that the wages and hours standards of state-regulated workers should not fall below those of workers under the jurisdiction of the Commonwealth Court. In the three states where there is no statutory requirement that state tribunals should follow Commonwealth awards there is, as we have seen, a close relation between federal and state awards. The Courts and Wages Boards of these states have been no less blind to the necessities of the situation than have the legislatures of the other states. Following the decision of the Commonwealth Arbitration Court in October 1950, the Court of Arbitration of Western Australia on December 7 declared the basic wage for the state. The President of the Court stated:

> We cannot pretend to ignore the effect of the Commonwealth Court's decision. We know that in practice that decision will be adopted not only throughout Federal awards but also in state awards and determinations in Victoria, New South Wales, Tasmania, and probably also in South Australia. . . . I do not believe it to be a practicable proposal in present times that Western Australia alone should be out of step with Australia as a whole.[45]

[44] The Hon. A. D. Bridges, New South Wales, *Parliamentary Debates*, 15 November, 1950, pp. 1523–1524. My italics.

[45] Justice Jackson, *The Western Australian Industrial Gazette*, vol. XXX, Nos. 3–4, p. 339.

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The employers' representative on the Court also expressed his belief in the desirability of bringing Western Australian awards up to the level of Commonwealth awards.[46]

This means that, as far as the standards of wages and hours are concerned, the forms of state control are retained, but in reality the Federal Court makes the effective decisions. The state courts are not wholly rubber stamps for Commonwealth decisions, however. Other conditions of work and other causes of dispute are dealt with on their initiative: such matters as the fixing of areas for the application of differential rates in town and country, the fixing of margins for skills and the regulation of other conditions of labor, all of which may have a peculiarly local flavor—all these are dealt with by state tribunals for those workers under their jurisdiction.

* * * * *

This comparison of American and Australian provisions for labor laws indicates an interesting interrelationship between law and politics in this sphere. It is quite clear that constitutional law, both written and judge-made, has played a large part in the shaping of the present systems of labor regulation in these two countries. This is particularly true of Australia, where, in spite of liberal interpretation by the High Court of constitutional provisions, the bounds to federal expansion have been maintained. It is, however, just as clear that constitutional provisions have not prevented the development of labor conditions which are *politically* essential; they have merely channeled the political forces along a certain route to the achievement of these standards. Where constitutional provisions threatened the development of uniform standards in Australia the tide of political activity swept round and past the constitutional issue to bring about the desired end.

In the United States, after the problems of the thirties were passed, the determination of the complex and irregular structure of labor regulation is to be traced to political attitudes and administrative convenience rather than to the decisions of the courts. To put it at its simplest, in the field of labor regulation

[46] E. B. McKenna, *ibid.*, p. 341.

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the significant difference between the American and Australian scenes is not the difference of constitutional form or interpretation, but the fact that in the United States labor is a pressure group, or rather a series of pressure groups, while in Australia labor is a party. This is, of course, a gross oversimplification and it ignores the undoubted drawbacks and anomalies of both systems of labor regulation, but it points the truth that, in this field at any rate, political forces are the real determinants of the patterns of regulation and the constitutional structure is an important though secondary factor in the situation.

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IS THERE A REVOLT AGAINST REASON?

SOME years ago Isaiah Berlin published his provocative essay, "Political Ideas in the Twentieth Century".[1] Mr. Berlin's theme was that political thought in our time is largely characterized by a deliberate attempt to deny that politics is concerned with real questions for which rational answers are possible. He was, in effect, reformulating an idea expressed a generation earlier by W. Y. Elliott in *The Pragmatic Revolt in Politics*,[2] that the present century marks a retreat from reason to myths, irrationality and falsehood as weapons of statecraft. Mr. Berlin also made clearer the pertinence of Elie Halévy's final judgment of the prospects of Western liberalism. Halévy had finished his distinguished career as a historian by trying to foresee the outlines of the future; he sensed impending apocalypse.[3]

These scholars were primarily concerned with the future of Europe. Halévy believed that its liberal-humanistic culture was dying. We see it distraught at least, involved necessarily but often unwillingly in the rivalry of its two children, America and Russia. At a moment of spiritual exhaustion, Europe, struggling to understand its predicament, is urged to transcend fate through the possibility of tragic action, of going to death nobler than the forces of vulgarity and sheer power that defeat or supplant it. Haunted by their history and proud of their pain, Europeans cultivate the "tragic sense of life" and remind America that in the moral universe the sun is not always shining everywhere.

If this image of Europe is, even today, too dark, too much an excuse for its own weaknesses, too much a pose, and often annoying for the preaching it produces, it reminds us of the

[1] *Foreign Affairs*, April 1950.

[2] New York, 1928.

[3] Elie Halévy, *L'ère des tyrannies* (Paris, 1938).

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pertinence of the friendly judgment that Americans in contrast with Europeans are likely to conceive of culture and politics as if there were no costs to pay for civilization. Peter Viereck's new conservatism sets out to define the limits of political action, but ends by including everything. The new liberalism of Arthur Schlesinger, Jr., supposedly stiffened by Burke, Dostoevsky and Reinhold Niebuhr, in theory also speaks of limits, but in program depends only on possibility. David Riesman's claims about the possibilities of the new work and new leisure almost deny the mood and fact of his preceding somber analysis of American society.[4] A more open optimism is proclaimed in the books of many prominent Americans who have written recently about the new promise of American life.[5]

Some writers in America, however, are closer to Halévy's mood. They are more stirred by the possibilities of the collapse and destruction of liberal-bourgeois democracy, about which Mr. Berlin also warned, than inspired by the better life that automation and the corporation with a heart are said to promise us. A sensitivity to violence and excess touches C. Wright Mills[6] and grips Hannah Arendt.[7] A distinguished student of nationalism writes of the "dethronement of reason".[8] Merle Curti contrasts our times with the "age of reason and morality" that he has found in America before the Civil War.[9]

Men of reason like Lewis Mumford imply "just one last chance."[10] Remedies run from the Great Books to a New Faith

[4] *The Lonely Crowd* (New Haven, 1950).

[5] Frederick Lewis Allen, *The Big Change* (New York, 1952); David Lilienthal, *Big Business* (New York, 1953); Lyman Bryson, *The Next America: Prophecy and Faith* (New York, 1952); A. A. Berle, *The Twentieth Century Capitalist Revolution* (New York, 1954); J. K. Galbraith, *American Capitalism* (Boston, 1952); Morris Ernst, *Utopia 1976* (New York, 1955); David Sarnoff, Nathan Pusey and others, *The Fabulous Future* (New York, 1956).

[6] C. Wright Mills, *White Collar* (New York, 1951); *The Power Elite* (New York, 1956).

[7] Hannah Arendt, *The Origins of Totalitarianism* (New York, 1951).

[8] Hans Kohn, *The Twentieth Century* (New York, 1949).

[9] Merle Curti, *Probing Our Past* (New York, 1955).

[10] Lewis Mumford, *In the Name of Sanity* (New York, 1954).

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or a revival of traditional religion. Frequently, Bertrand Russell reminds us of our dreadful predicament and inverts Victorian values by insisting that it is our greatest duty to be happy, to outlaw war, to adopt World Government and thus avert impending disaster. Were Matthew Arnold alive to speak again of "the one thing needful", he would be hard put to choose from the many things needful greeting us in the pages of the *New York Times Magazine* alone.

Twentieth-century life certainly seems to confirm the opinion that our times are characterized by a revolt against traditional standards of decency and the possibilities of creative intelligence. Deliberate brutality, enslavement and murder, gas ovens with six million dead, and slave labor camps with fifteen million degraded human beings color our political life and imaginations. Our political vocabulary is apocalyptic: "total war", "unconditional surrender", "massive retaliation", "agonizing reappraisal", "meeting at the summit". George Orwell has shown us how words and grammar are abused because of an appalling moral and intellectual confusion about the nature of modern politics.[11] Some influential writers insist that most of our difficulties are semantic, that our words rather than our wills betray us. Our political language alone is evidence of the inability or unwillingness to reduce the dreadful events of the past forty years to manageable proportions.

Canon V. A. Demant, the Anglican theologian, has maintained that the troubles of our century constitute a "Great Reversal". He believes that the most important ideas in the West since the First World War have been working to undermine the major beliefs and institutions of a secular liberal culture which took three centuries to flower from its Christian soil.[12] Where liberal-humanism finds its sources is not the issue. By 1914 men knew what it meant and they called its components Civilization. Reasonableness, kindness, decency, privacy, tolerance, freedom, and, where possible, love—these were the great virtues,

[11] George Orwell, "The Prevention of Literature" and "Politics and the English Language" in *Shooting an Elephant* (New York, 1950).

[12] V. A. Demant, *Religion and the Decline of Capitalism* (London, 1952).

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firmly associated with the best aspects of the life of the middle classes on the eve of the First World War.

But no one who went through that war could still find the criteria of rationalistic liberalism adequate for understanding life. Increased knowledge in our culture since Versailles has also served to modify earlier hopes. Knowledge and learning now do not always inspire happiness or rational action, as men once believed they would, but often oppression and terror.[13] Understanding may make our fears, even our loathing, more legitimate. Who can still believe that *tout comprendre c'est tout pardonner*? There are for us, furthermore, problems that cannot really be solved, and questions that can scarcely be formulated, let alone answered. With our extreme sense of personal responsibility we want to find out where we went wrong, what we left out, or who is responsible for the mess.

II

The sources of our difficulties are to a large extent imbedded in the nature of modern rational life itself. In order to understand them we must go back to the immediate beginnings of the modern temperament, roughly around the end of the eighteenth century. A conscious search for ideas and principles for the reorganization of culture is one of the characteristics of European life after the French Revolution. Of this search and its costs, Edmund Burke is the prophet. The *Reflections on the Revolution in France* and most of Burke's writing after 1790 are a farewell to an often idealized old European order, that "tradition-directed" society with its stations and duties, its religious basis and slow-moving agrarian round of life. Burke feared the sharp break in continuity that Europe was about to experience as a result of the French Revolution. Although often wrong in his facts and judgments, he was among the first to sense that, inspired by the revolutionary ideals, everywhere men were coming to think that their happiness depended upon resisting the conditions imposed traditionally on human

[13] The extent to which totalitarianism draws on the techniques of modern life is discussed below.

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nature by customs, institutions and religion. It was this revolution in culture that frightened Burke.

In the twentieth century this liberal appetite for life, for satisfaction of will whatever the cost, has grown and has, so to speak, broken out into the open. In comparison, the pace and resources of nineteenth-century life, at first glance, make it seem an age of stability and solid purpose. Nineteenth-century men seemed to manage, to defer to standards and rational methods, to believe in progress and work for human happiness.

In fact, the last century was troubled by great disorders that the liberal political mind, in its generous rational commitments, tended to ignore or censored out or believed would disappear with the "march of mind". Throughout the nineteenth century, only the reactionary and conservative writers saw the more dreadful possibilities of the liberal-rational spirit. They were certain that all the dikes were about to crumble, freeing sin and passion to flood the world. "Shooting Niagara" expresses a mood far beyond that connected with Carlyle's fears of the Reform Bill of 1867. The diaries and letters of those close to the centers of power reveal that many men thought that only calculated delay, or force, could hold back the deluge and provide the possibility of order and peace. Order and peace came, moreover, as they always come, by luck and chance, by skillful manipulation of clashing ideas and interests, by playing off fear against fear, group against group, not because men deferred to the claims of sovereign reason and truth. Authority rested on fear, habit, or confidence, not on its various justifications by "reason". From Stendhal to Nietzsche many of the greatest minds of the century saw life not as "progress" or "reason" but as passion, fear, hatred, pain, suffering, envy, struggle, and death. In sum, our grandfathers thought that they were barely hanging on. The belief of the Victorian middle class in "getting on", in self-control and the substantial virtues often had a quality of whistling in the dark or "we may just about make it". At every moment the energies of democracy and industrialization seemed ready to explode. Theirs was an age of violence, misery and horror to an appreciable

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extent produced by the changes that came with the advance of the program of reason: equality and its impatience with old social distinctions; industrialism and its new disciplines for daily life; science and its challenge to traditional beliefs; and literacy and its pretensions.

But behind the ideas used to justify or conceal social costs, the nineteenth-century middle classes, who were in closest association with the program of reason, were really what Walter Bagehot said they were.[14] They were not diabolically clever capitalist-plotters, always united and confident, always conscious of their intentions and farsighted in their conception of their interests. They were, in Bagehot's special sense of the word, stupid. They resisted intelligent ideas of conscience and justice and were thus the despair of the enlightened rational reformer and uprooted ideologue. The *bourgeoisie* stood firm, moving only when frightened or when sufficiently convinced that something new was really in its interest. When the energies set loose by the program of reason wrecked the political institutions that men in the nineteenth century had tried to patch together, when men became sufficiently impoverished in pocket or deprived of a status and security they had once enjoyed or looked forward to, then they were prepared to join the battles of the twentieth century, the crusades for "parties above parties", and the service of the state and leader. Our crisis came when men thus abandoned institutions for ideology, or, rather, when the very idea of institutions was discredited in the name of the rational cry for life.

III

Ideology is today conceived by many writers as the greatest challenge to the traditional moral interests and intellectual methods of the West. Karl Popper in *The Open Society and Its Enemies*[15] indicts Plato and Hegel as fathers of ideology and as totalitarian writers. Much that has been said in criticism of Popper has challenged this interpretation.[16] However, what

[14] Walter Bagehot, "Letters on the French Coup d'état of 1851".

[15] London, 1949.

[16] See Walter Kaufmann, "The Hegel Myth and Its Methods", *The Philosophical Review*, October 1951.

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is hardest to understand from accounts of our difficulties like Popper's is why ideology "clicks" in the twentieth century. To say that our troubles are caused by Plato or Hegel or, as others have insisted, by Luther, Rousseau, or Nietzsche, or by deliberate cultivation of the irrational by men who wish to remove questions from honest debate, is to reduce an incredibly complex development to a conspiracy. It is, in effect, to concentrate on only a few men or ideas and leave out the rest of culture. When we consider the larger limits of culture, we must doubt whether the "reason" we can see at work in the nineteenth century has lost its force in the past fifty years.

The whole intention and apparatus of social science with its institutes and foundations, supported and used increasingly by the state, continue the most important traditions of the Enlightenment. This organized research and expertise have given body to what were the hopes of the Encyclopedists and their heirs for understanding the nature of society. The psychoanalysts who follow Horney, Fromm and Sullivan reject, in the name of progress and rational self-realization, aspects of Freud. But Freud himself did not, as Horney claims,[17] deny human possibility. His strongest intentions were to strengthen the claims of the life of reason. Freud, furthermore, did not destroy "values", for he did not assert that morality was *merely* the expression of desire even though he believed that all ideas had an emotional basis. Above all, he always respected what he has been most persistently charged with neglecting, the power of environment and the effects of historical development.[18] He was a son, not an enemy, of the Enlightenment.

Whatever the limitations or possibilities of social science or psychoanalysis in advancing the life of reason, as disciplines both are part of that increasing activity of "reason" in the twentieth century that, as Freud warned, enlarges the dangers to and the price of civilized life.

The twentieth century, rather than rejecting reason and logic,

[17] Karen Horney, *Neurosis and Human Growth* (New York, 1950), chap. 15.

[18] Freud's struggle with the conception of the historical development of the emotions is documented in the first volume of Ernest Jones's biography, *The Life and Work of Sigmund Freud* (New York, 1953).

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indeed suffers from a superabundance of rational programs, systematic analysis, and ideas. Our valuable, and baffling, competing energies and conceptions of life, taste and manners, the marks of a high civilization, come, not from cultivation of the irrational, but directly from the most important uses to which systematic reason has been put in our culture for over a century. Science and technology in increasing human wealth and power, and, necessarily, the number of ideas about what life can or ought to be, have raised our desire for fulfillment and happiness beyond the ability of traditions or institutions to contain. At the same time that the cry for life has been intensified, the conscious elaboration of rational regulations and procedures that technology and administration in the modern state depend upon has produced rules that are too narrow for the energies we have released. Men have become more conscious of themselves as individuals and more anxious and able to develop their potentialities than ever before, but democracy and technology bring more complex and rational institutions that stand in the way of our wills, and rules and judgments in and by the gross, the rough-and-ready answers of rational egalitarianism that we resent because we do not want to be lumped together as if our case were not a special one. In few places in our democratic life is it possible to act on the fine aristocratic distinctions that Henry Adams believed disappeared from our political culture with his grandfather's defeat by Andrew Jackson and the triumph of the egalitarian ideology.

That modern society almost deliberately sets free more energies than it can use or control is hardly a new observation. Tocqueville, among others, wrote, in one of his most astute reflections in *Democracy in America*, that no society offers and tempts men so much as does an egalitarian society and in no society can one find so much frustration.

A century ago, however, men like Tocqueville and J. S. Mill thought it was possible to control this recently freed human energy by relying on the hold of traditional institutions over men's minds and hearts. At the same time, they sought a more humane discipline for the self. As the great program of reason advanced, the traditional restraints of society that

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they temporarily depended upon were examined, challenged, discredited. The new life in an increasingly pluralistic culture could no longer easily be served by the moral absolutes or absolutist mood appropriate to pre-industrial Europe. The more life cut loose from old moorings to find its new forms of expression, the greater became the chances one had to take. Ignazio Silone, for example, tells, in the story of his years in the Communist party, that when he left peasant life in the Abruzzi for the City, "everything became a problem."[19] Italian society had been shattered by war and depression. A discredited past and hopeless present lost all claim upon him; ideology became irresistible, all existing institutions impossible.

Young Silone's enormous hunger for life, power, status, justice, truth was not satisfied by Fascists who openly rejected reason. His answer came from communism, from those supreme rationalists who believe themselves working for justice and thus at liberty to crush everything in the path of the relentless logic of the Marxist abstractions they falsely claim to embody. This total rationalism is thus a greater menace to peace and decency than is irrationalism; for, wherever total rationalism first appears it can speak, as it spoke to Silone, the noble language of humanity and righteousness that Fascism can never speak. We are too well aware how total rationalism thus allows men of good will to associate themselves with coercion and power without feeling guilty and to conceive of themselves as selfless embodiments of the instruments of a universal happiness, to believe that they are making a world in which man can be loved.

It is as important, therefore, to see our century as an age in which logic and rationalism make limitless claims in politics, as to see it as a time without logic or sense. A thoroughly rational politics and culture and super-consciousness threaten us as much as do politics without ideas and "thinking with the blood".

The difficulty in dealing with communist total rationalism is that, unlike Fascism, it draws on ideals and beliefs that have preoccupied the West for nearly two centuries. The hopes and energies tapped by communism in our own liberal culture

[19] In *The God That Failed* (London, 1950).

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accompany our tendency to make absolute our commitments to the possibilities of the human mind, and our legitimate taste for the work that reason has accomplished for us in the systematic examination of the problems of society.

Of all the work thus done in the last century through critical inquiry or the advance of reason, perhaps few things were as significant as the destruction of the aristocratic ideal. We have only to look at the pitiful remnants of the aristocracy wasting away in the world today to understand why there are now few people to be found to say anything good about aristocracy. Even our aristocratic "Founding Fathers", who distrusted populistic democracy, softened their belief in the rule of the talented and leisured as they realized that throughout history the tendency to degeneration had been the fate of even the most talented hereditary ruling class.[20] While we may be well rid of the old aristocracy, we have paid a price for its disappearance: the ability to defer.

While Bagehot thought that the English were stupid because they were slow to rise above self-interest, he also believed they were a deferential nation. Willingness to defer to the signs of aristocracy freed the few Englishmen of talent for the hard serious work that government really is. For generations, many of the best graduates of Oxford and Cambridge have been accustomed to look to politics as the natural fulfillment for their talents, and the English, despite distaste for "clever" people, have accepted this without great regret. America, on the other hand, is neither a deferential community nor well disposed generally to difficulty and complexity, especially in the larger issues with which our government must deal. As a people, however much more receptive we may be becoming to "mind" in our culture, we shall not soon recognize qualified opinions on matters like Asia policy or higher education or the methods of diplomacy as more worthy of consideration than those of the pollster's victim who happens to think that the Chinese Nationalists ought to be "unleashed, now". One small

[20] But one of the continuing myths of scholarship is that John Adams and Alexander Hamilton favored a fixed formalized class structure and even monarchy for the United States.

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part of our difficulty in countering the challenge of total rationalism is that, while our safety is inseparable from ideas and considerations of justice and freedom, those who try to speak for limits and moderation are likely to be unheeded because of our rejection of the notion that some opinions are better than others in the name of a thoroughly rational equality that has gone so far that we have no alternative but to work within the limits it has set us.

We feel the lack of deference to qualified opinion most when we concern ourselves with the larger rational considerations of justice and freedom. No one calls us back from a cause. We are ready to devote or sacrifice ourselves for any ideal. We believe that we are responsible for every death and for every pain whenever men suffer somewhere, as they unfortunately do every hour of the day. On the other hand, we are so accustomed to the present proportions of organized and accidental death and misery that a half-million lives lost from famine somewhere in Asia sometimes evoke, at best, a shrug of the shoulders. We are either brutalized or aroused through that enlarged sensitivity to human disaster that rational humanitarianism has brought us. We feel guilty if we dare resist the call of humanity anytime it is invoked, and shocked or outraged if someone reminds us of the limits of reform and redemption.

These demands for a rational civilization (whose deepest dream is the defeat of death) and improved communications in the name of rational "better understanding" have enabled us to hear about the skillful exploitation of slave labor in the Soviet Union at breakfast, the latest news about Mau Mau atrocities in Kenya at lunch, and the plight of refugees from Ho Chi Minh at the dinner table. *The New Yorker* brings the appeal of a handless waif in Korea who will certainly die without our help. Another letter asking for a contribution has a picture of an underprivileged child asking, "Can I have lunch with you?" The appeal to reason and identification with its program threaten to deny us any personal time or joy. We are engulfed by "crying needs" and programs which may do good, but which may only indirectly concern us. Our life is a parade of "values" and "ideals", a constant damning of the self except when en-

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listed in the service of some cause or placed at the mercy of the latest prince of darkness. Who of us is strong enough to realize that the world, unfortunately, is too tough and complex a place for us to believe that everywhere and every time the bell tolls, it tolls for us? The urgent and constant appeals to the great abstractions of freedom and justice contribute enormously to the seeming irrationality of our lives.

Beyond these calls to salvation and service, no question of education, amusement, or vocation is free from competition among equally attractive ideas. At the bottom of every action or decision there is not pleasure but "the problem". Taste increasingly has become less an expression of personal comfort or desire and more an ideology, more a question of serious instruction in the rational use and arrangement of materials, which is *a priori* right whatever you may feel. To be happily married, to raise nice children, to have an acceptable home, one cannot rely on feelings or experience; one must read books. Much of what we must study in order to live rationally is plausible and has its own attractions. Logically, for example, the various parts of our daily routines at home are not distinctly separate from each other and it is pigheadedness to insist that what you want and like is a house with box-like rooms, not "living areas".

This sense of life, if it continues in its present proportions and direction, must eventually make a private destiny a cultural crime. "Justice" and the rational life thus help to move us closer to a kind of culture open to the worst kind of injustice, rational exploitation of the self, not sporadic or selective but deliberate, relentless and, in an eventual totalitarian form, related in every respect to an ultimate goal of a life without limits for the initiated and exploitation without end for the deviant. The techniques of this rationalized culture have been made available by reason; their effectiveness has been increased by improved methods of observation, manipulation, and control through scientific research. The faith of 1914 in science, technology, secularism, rationalized public administration, mass education, expertise, "planning", movements for universal organization of the world—all these have achieved their most potent embodiment in states whose every purpose

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is to deny the freedom these ideals were meant to serve.[21] Reason has made this unreason possible and is creating in free societies a seductive atmosphere hostile to diversity, spontaneity and privacy.

IV

If we wish to enjoy the advantages of modern life we cannot stop critical inquiry into our lives and institutions; we cannot escape ideas, consciousness of conflicting possibilities, and sensitivity to difficulty. They are the marks and costs of modern life, but, naturally, there are many who balk at their price. Earlier in this century, for example, Van Wyck Brooks wrote his essay "America's Coming of Age". He called for a complex culture that an earlier, simpler America had failed to produce to sustain or challenge the writer and artist. Today, when American life and letters have perhaps oversubscribed his appeal, so that Europeans are struck by the vitality of our criticism, Mr. Brooks, like V. L. Parrington before him, has implied that we ought to move again toward the greater sanity and security represented by the simpler humanism of the last century which he once found inadequate. We are asked to take up William Cullen Bryant or Horace Greeley and forget Henry James, T. S. Eliot, or Herman Melville.

Similarly, our dominant, though changing, tradition of political liberalism today has an opposition that we have not experienced since our "reactionary Enlightenment" of the 1850's.[22] Much of this opposition, which seems to call into question the major beliefs of liberalism, is usually rather thin or remote or represents old liberalisms gone sour and absolutist. More often than not it represents little more than the grunts, growls and grudges of people howling at history. Whatever their nature, these ideas have been taken by some as a threat to freedom rather than as the temper and costs of diversity in an America where there is and has been only a liberal tradition.

Our liberal national life is a race to distribute goods and

[21] George Orwell's short essay on H. G. Wells in *Critical Essays* (London, 1946) develops this paradox.

[22] Louis Hartz, *The Liberal Tradition in America* (New York, 1955).

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services and to satisfy the desire for status and stability before the stakes and tension of the race prepare too many people to accept some kind of substantial public absolutism and all its nastiness. However, as races go, it is unique.

David Riesman has observed that we are at the beginning of a new kind of culture with unprecedented material abundance, requiring people to be more coöperative and peaceful than ever before. We can only roughly sense what kind of demands this culture is likely to make. With increasing economic equality and the growth of technology our lives are likely to become even more rationalized and dependent on ideas than they are now. If Riesman is correct in his view of the future, we shall be in danger of losing all individuality as we learn to run together for the common rewards of "group-living".

It is common today to hear that with these changes we need, above all, a new faith to make modern life "more meaningful" or to replace an outmoded Christianity or post-Christian culture, faltering before the new religion of communism. While often this call may reveal a real distaste for a pluralistic culture and secret worship of power and ideology, the irony is that seldom in the history of the West have men been in such agreement about what humanity requires and what civilized behavior involves and never have men had such resources to enforce these ideals. We have all the faith and idealism we need. The Enlightenment has triumphed, but our wills, not our minds, resist its commands. It is in this resistance that our hope lies.

We shall have to retreat from that outer edge of sensibility toward which the claims of reason in its many forms now push us, to the world of small events, simple things, little loyalties to little platoons, that the troubled nineteenth-century middle classes managed to live in. We shall have to resist the call to arms that we are not really able to bear. We must be careful about the temptation to see in everything greater significance and ultimate meaning. We must deny that every event is a marginal situation requiring all our strength and attention. Under the frenzy and fury of the race to justice and reason, there are still the great common denominators of life which can be conceived in a modest way, spelled with unfashionable

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small letters, our limits of birth and death, that we long to avoid or overcome but cannot escape.

In Dickens' *Bleak House* it is said of the humane and intelligent Mr. Jarndyce that he was "superior to injustice", refusing to become involved with the fine abstractions of the lawsuit in which his family was engaged or with the great causes of the age favored by Mrs. Jellyby and Mrs. Pardiggle. Like Jarndyce we must make an effort to resist the claim that reason is really making in the twentieth century, that it can exhaust the interests and potentialities of personality. We have good cause to guard against an excessive identification of virtue with rationality and the resulting subordination of all life to logic and system.

It has been said that liberalism is the child of reason and ideas, but it is entirely possible that liberal culture in America may allow the rationalism that it uncritically accepts and esteems to destroy that human spontaneity and delight in the complexity of real life and small things that lie at its moral center.

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CONGRESSIONAL CONTROL OF AGRICULTURAL CONSERVATION POLICY

A CASE STUDY OF THE APPROPRIATIONS PROCESS*

I

FOR many years the Congress has used the appropriations process as a channel for reviewing and controlling administrative policy. Annually the appropriations subcommittees of the House and Senate seek to determine the budgetary requirements of administrative agencies by evaluating their policies and methods of operation. Policies are not always reviewed from the standpoint of financial requirements alone. Frequently the subcommittees use the appropriation hearing as an occasion for questioning administrators on the validity, feasibility and legality of their policies. When the subcommittees find policies which run counter to their own beliefs, they may seek to substitute their own judgments on policies for those of administrators. To this end, the subcommittees may reduce the amount of money available to administrative agencies or allow money to be spent only under specified conditions.

Most writers on Congressional-administrative relations have been critical of the use of the appropriations process for controlling administrative policy. Several objections to the practice have been offered. Most observers agree that the Congress should restrict its control of administration to major issues. Yet, it is claimed, the Congress has frequently used its power over appropriations to control the details of administration.[1] Moreover, most observers agree that satisfactory guarantees

* Research for this paper was begun while the writer was a research assistant to Dr. Charles M. Hardin of the University of Chicago. The study is based in part upon interviews with members of the House and Senate agricultural appropriations subcommittees and officials of the U. S. Department of Agriculture conducted in 1950.

[1] Leonard D. White, "Congressional Control of the Public Service", *American Political Science Review*, vol. XXXIX (February 1945), p. 3; Roland Young, *This Is Congress* (New York, 1943), pp. 219–224.

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for responsible policy-making do not exist in the appropriations process. Power, they assert, has been centralized in the appropriations subcommittees, which have been susceptible to organized pressures. In addition, the Congress as a whole has not been fully informed of the policy changes included in appropriations acts.[2] Finally, it is often stated that the control of administrative policy in the appropriations process distracts the Congress from its main function—the determination of the relative fiscal needs of all governmental functions.[3]

Taken together, these criticisms present a strong case against Congressional control of administrative policy in the appropriations process. The picture of the policy-making process which they present seems somewhat out of balance. Policy-making, it is now recognized, is a continuous process in which both the Congress and administrative agencies share. The Congress, for lack of time and expert knowledge, must generally restrict itself to defining the broad policies of the government on major political issues. The function of spelling out and applying these policies rests with administrative agencies. The Congress does not, however, terminate its rôle in the policy-making process once the initial decision has been made. Administrative policies and methods of operation may frequently become the center of major political interest and controversy. In such cases, it is important for the Congress to review the policy in question and, if necessary, settle the issue itself.

The appropriations process, under existing organization and procedure, is the most logical place for the Congress to review administrative policy and performance. Few committees in the Congress have as intimate a working knowledge of administrative policies and programs as do the subcommittees of the Committees on Appropriations. In contrast to the substantive committees, the appropriations subcommittees are in constant and immediate contact with the current issues in each policy

[2] Among others, see Arthur W. Macmahon, "Congressional Oversight of Administration: The Power of the Purse", POLITICAL SCIENCE QUARTERLY, vol. LVIII (September 1943), pp. 380–388.

[3] See for example Edward L. Katzenbach, "How Congress Strains at Gnats, Then Swallows Military Budgets", *The Reporter*, vol. XI (July 20, 1954); George B. Galloway, *The Legislative Process in Congress* (New York, 1953), chap. 6.

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area. Moreover, as most administrators realize, it is extremely difficult to separate a budget from the policies which it supports. Given the present budgetary system, it is as natural for an appropriations subcommittee to use its power to countermand an administrative policy with which it disagrees as it is for a department head to reject a budget estimate for a program which is not acceptable to him.

The following case study is an examination of the control which the Congress exercised over agricultural conservation policy in the appropriations process between 1940 and 1950. By analyzing both the administrative issues raised during the appropriations process and the influences present in the settlement of the issues, it is hoped that a more complete understanding of the rôle of policy-making in the appropriations process may result.

II

The agricultural conservation program (ACP) was first created by the Soil Conservation and Domestic Allotment Act of 1936.[4] Since then the Congress has frequently revised both the statutory basis and the administrative policies of the program. In the early years, most of the policy changes, particularly with respect to acreage allotments for basic commodities, were made as amendments to the authorizing statute. Between 1940 and 1950, however, the Congress relied in large part upon the appropriations process for reviewing the operation and policies of the ACP. In all, nine basic changes in agricultural conservation policy were made by way of appropriations legislation during this period. In contrast with the relatively routine changes made by amending basic legislation after 1940, the issues which were resolved in the appropriations process were in large part controversial in nature.

The agricultural conservation program was established as a basic part of the agricultural adjustment policy of the 1930's. The program was designed to meet two needs of the period: the reduction of agricultural surpluses and the promotion of soil conservation on the farm. Under the Act of 1936, as amended, a farmer could earn a cash payment of up to $10,000

[4] 49 *U. S. Statutes at Large*, pt. 1, 1148–1152 (1936).

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annually by shifting his acreage from "basic crops" to non-soil-depleting crops, by staying within an assigned acreage when producing "basic crops", and by adopting soil-building and soil-conserving practices. An annual appropriation of $500 million was authorized for ACP payments. When the Soil Conservation and Domestic Allotment Act was amended in 1938, the Agricultural Adjustment Administration was made responsible for administering the program. At the local level, the AAA was to work through a network of county and community committees, the members of which were to be elected from the farmers who received benefits from the program.[5]

By the outbreak of World War II the ACP had become an accepted part of American agricultural policy. While the Congress revised the system of assigning acreage allotments several times between 1936 and 1942, both the Congress and the major farm groups were in general accord on the program. Indeed, the Congress appropriated close to the full amount authorized for payments in 1939, 1940 and 1941. Late in 1942, however, the ACP became involved in a major political controversy over wartime agricultural production and price policy.

During the early part of the war, the President and price control officials decided that ceiling prices would have to be set for agricultural commodities in order to prevent inflation. In the event that the ceiling prices did not yield the production required for domestic and defense consumption, the President favored the adoption of a subsidy system. The Congress, or more accurately the farm bloc in Congress, and the major farm organizations were directly opposed to the President's policy[6] and succeeded in writing a prohibition against subsidies, in lieu of price increases, into the Emergency Price Control Act of 1942.[7]

This split over agricultural price policy left the Department

[5] The amendments were included in the Agricultural Adjustment Act of 1938. 52 *U. S. Statutes at Large* 31–34 (1938).

[6] U. S. Bureau of the Budget, *The United States at War* (Washington, 1946), pp. 239–249, 338–339; Walter Wilcox, *The Farmer in the Second World War* (Ames, Iowa, 1947), *passim*.

[7] 56 *U. S. Statutes at Large*, pt. 1, 26–27 (1942); also Wilcox, *op. cit.*, pp. 243–246.

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of Agriculture in something of a dilemma. Late in 1942 production forecasts revealed that essential agricultural commodities would not be produced in sufficient quantity to meet demands if existing price levels were maintained. Price control officials, after several conferences, refused an increase in price ceilings.[8] The only recourse left to departmental officials appeared to be a subsidy policy, yet ample evidence existed that the Congress would not appropriate funds directly for such a program. Consequently, the Secretary of Agriculture decided to adapt the ACP to a production subsidy policy.

Following established procedure, the Secretary announced late in 1942 the plan for the 1943 ACP. The Secretary's announcement indicated that a program of $400 million was planned and laid out the practices which farmers should follow in order to receive cash payments. The plan contained, however, one departure from previous policy. Money previously used for payments to farmers who diverted their acreage from basic crops was to be used for "production payments". A farmer might earn this payment by producing up to 90 per cent of an assigned acreage on scarce war commodities.[9] Farmers throughout the nation were slow to sign up for the program, and it soon became evident that production goals would not be met. Consequently, a further innovation was developed. Administrative officials decided to seek an additional $100 million for the 1943 program. This money was to be used for "incentive" payments which would be earned by farmers who exceeded their production goals, up to 110 per cent, for eight categories of commodities.[10]

Congressional reaction to the request for incentive payment funds, made in February 1943, came swiftly and decisively. Special hearings on the request were scheduled by the House

[8] Memorandum to the Secretary of Agriculture from H. B. Boyd, Secretary, Food Advisory Committee, dated January 6, 1943; letter to Harold D. Smith, Director, Bureau of the Budget, from Claude Wickard, Secretary of Agriculture, dated January 26, 1943. National Archives.

[9] U. S. Department of Agriculture, "War Production Program for 1943", February 11, 1943 (mimeographed).

[10] *House Document 101*, 78th Cong., 1st Sess. (Washington, 1943).

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subcommittee on agricultural appropriations. During the hearings, Department of Agriculture officials were forced to defend the plan against an almost unanimous attack from subcommittee members and farm organization officials. The adverse reaction of the subcommittee to the plan had a number of sources. In the first place, subcommittee members were obviously incensed by the decision to develop a subsidy plan in the face of Congressional opposition to such a policy. Moreover, several subcommittee members believed that the Soil Conservation and Domestic Allotment Act did not provide the Secretary of Agriculture with the legal authority to make production or incentive payments.[11] Equally important was the fact that the Secretary had announced the program—publicly—without consulting the subcommittee in advance. "We were right here to be consulted", Representative Clarence Cannon (D. Mo.) complained. "You could have called us on the phone and we would have been glad to have welcomed you at any time on thirty minutes' notice."[12]

Within several days after the hearings, the subcommittee announced that the incentive payment funds would not be authorized.[13] The announcement ended the incentive payment plan, for the issue was never raised in the full Committee on Appropriations or in the Senate. With one decisive stroke, the House subcommittee killed a plan to develop a subsidy program within an accepted policy framework.

The House decision in itself evoked a bitter controversy which had lasting effects upon the ACP. Both members of the subcommittee and officials of the American Farm Bureau Federation regarded the incentive payment plan as an attempt by administrative officials to by-pass Congressional opposition to subsidies.[14] Hence, they were determined to block as fully as possible any future attempts to subvert the ACP from what

[11] *Agriculture Department Appropriation Bill for 1944, Hearings* before the subcommittee of the Committee on Appropriations, House of Representatives, 78th Cong., 1st Sess. (Washington, 1943), pp. 805–807, 818–819.

[12] *Ibid.*, p. 806.

[13] *Ibid.*, pp. 847–848.

[14] *Ibid.*, pp. 801–845, 1361–1379.

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they considered its proper objectives. The issue was well phrased by Representative Cannon, chairman of the House Committee on Appropriations and a member of the agricultural subcommittee, several weeks after the plan had been rejected. When the regular ACP appropriations came up for debate on the floor of the House, Mr. Cannon introduced an amendment which would have prohibited the use of any Department of Agriculture appropriations for incentive payments. He was clear as to the purpose of the amendment. "We are determining in our disposition of this amendment this afternoon the policy of the Government on subsidies. . . . We are deciding it for many years to come."[15]

The vigor of the subcommittee's opposition to the incentive payment plan was matched by the determination of Department of Agriculture officials to secure its acceptance. Several officials of the Department interpreted the rejection of the plan as a complete capitulation of the subcommittee to the Farm Bureau in its struggle for supremacy in farm policy and administration. Prior to 1943 the Farm Bureau had viewed the growing strength of the large AAA field organization, directly supervised from Washington, as a threat to its own dominant position as the spokesman for American agriculture. Throughout 1942 and 1943, officials of the AFBF criticized the AAA as an organization which had grown too large and expensive for efficient administration. Moreover, they insisted that the agency did not coördinate its programs with other agricultural agencies in the field, particularly the Extension Service. During appropriations hearings in these years, the Farm Bureau offered extensive recommendations for reorganizing the Department of Agriculture, emphasizing a decentralization of authority to the State Extension Services.[16] This growing conflict over the organization of ACP policy came to a head with the rejection of the incentive payment plan.

Following the announcement of the House decision, departmental officials decided to counteract what they believed to

[15] *Congressional Record*, LXXXIX, 3511 (1943).

[16] See for example the testimony of E. A. O'Neal, President, AFBF, in *Agriculture Department Appropriation Bill for 1944, Hearings . . .*, p. 1505.

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be Farm Bureau pressures on the House subcommittee by pressures from farmers affiliated with the AAA.[17] In meetings of county and community committeemen throughout the Mid-West, national and state officials of the AAA condemned the refusal to grant incentive payment appropriations as an attempt "to take the farm program out of the hands of the farmers."[18] Farmers were urged to write to their congressmen requesting approval of the incentive payment plan. Representative of the attitudes expressed by AAA officials in the field were the following remarks of a Wisconsin committeeman:

> And again the unholy coalition of big industry, Farm Bureau, and Extension have thrown their weight upon the farm bloc and have been able to swing the subcommittee of the Appropriations Committee in Washington to veto the proposal to make incentive payments for the production of needed war crops. . . . No holds will be barred in this all-out fight for farmer administration.[19]

The House subcommittee reacted as unfavorably to the pressures from the AAA as it had to the original proposal for incentive payments. Indeed when the regular appropriations provisions were reported out of committee, they were accompanied by a series of amendments designed to restrict the scope of the ACP and the discretion of officials administering it. Most of the amendments were developed from suggestions made by Farm Bureau officials both in the appropriations hearings and in discussions with individual subcommittee members, particularly Everett Dirksen (R. Ill.).[20] Several of the restrictions proposed by the subcommittee were dropped from the bill during floor debate, while those that remained were considerably altered after Senate action and conference.[21] Nevertheless, the

[17] According to a former U.S.D.A. official interviewed by the writer, this decision was made by top departmental officials, rather than AAA administrators.

[18] *Agriculture Department Appropriation Bill for 1944, Hearings* . . ., p. 1343.

[19] *Congressional Record*, LXXXIX, 1826–1827 (1943).

[20] *Ibid.*, pp. 3358 *et seq.*

[21] For the original proposal of the House subcommittee, see *Department of Agriculture Appropriation Bill, 1944*, House Report 354, to acc. H. R. 2481, 78th Cong., 1st Sess. (Washington, 1943), p. 15.

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incentive payment controversy left a definite imprint on the ACP.[22]

The most serious departure from established policy was a provision restricting the freedom of the Secretary of Agriculture to plan the annual ACP and to obligate funds for payments in advance. A "rider" was attached to the ACP appropriation which authorized the Secretary of Agriculture to plan a $300 million program for 1944 based solely on soil and water conservation payments.[23] By this means, the Congress sought to forestall any future attempts by the Secretary to obligate funds in advance for purposes which had not had prior Congressional approval. The effect of the provision was twofold. From the standpoint of program administration, authority to plan the necessary size and scope of the ACP was shifted from the Secretary of Agriculture to the Congress. At the same time, the basic objectives of the ACP were reoriented from a combination of acreage control and conservation to conservation alone. As a corollary to these changes, a specific prohibition against the use of appropriated funds for incentive payments was included in the bill during floor debate in the House.[24] The provision was not wholly successful, however, in eliminating subsidies for agricultural production. Unrestricted funds available to the Department of Agriculture were used for incentive payments for potatoes and truck crops in 1943. Moreover, by 1945, Commodity Credit Corporation and Reconstruction Finance Corporation funds had been used for subsidies on eighteen different categories of agricultural commodities.[25]

The political struggle which followed the decision on incentive payments also had a direct impact upon the program. Restrictions on administrative costs were written into the appropriations

[22] With the exception of the prohibition against incentive payments, all of the limitations written into the appropriations act for fiscal year 1944 were reënacted annually throughout the period studied. Thus, none of the changes in policy and administration were purely of a temporary nature.

[23] *House Report 354*, 78th Cong., 1st Sess., pp. 14–15.

[24] *Congressional Record*, LXXXIX, 3510 (1943).

[25] Wilcox, *op. cit.*, p. 254; *New York Times*, May 16, 1943, Sec. 4, p. 2; U.S.D.A., "Food Subsidy Program for Fiscal Year 1946", August 1945 (mimeographed).

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acts for the first time in 1943 and 1944. Previously the program had operated under a provision of the AAA of 1938 which set aside 3 per cent of annual ACP appropriation for national and state administrative expenses and provided that local administrative costs should be paid by deductions from the cash benefits received by participating farmers. In 1943 an over-all limitation of $30 million was placed upon administrative expenses, a reduction of $4 million from the amount spent in fiscal year 1941.[26] In part this restriction reflected an acceptance of the Farm Bureau's contention that the AAA had been allowed too much freedom in building up the local committee system. Moreover, members of Congress who had felt the pressure of the local committees during the incentive payment controversy were eager to exercise some control over the organization. This attitude was well expressed by Senator Arthur Vandenberg (R. Mich.) during Senate debate on the provision. "Is this not the group", the Senator inquired, "which has been repeatedly charged with widespread propaganda?"[27] At the same time, however, both the Senate and House subcommittees were concerned about a report by the Joint Committee on Non-Essential Expenditures (the Byrd Committee) which had been issued in 1942.[28] The report and supplemental documents showed that per capita expenditures for local administration of the ACP varied greatly from state to state, and from county to county within a single state. During the hearings in both 1942 and 1943, ACP officials were questioned extensively about these findings, and subcommittee members were not satisfied with administrative justifications of the variations in costs. As one member stated, the House subcommittee could not permit "such a thing as democracy running wild in these organizations."[29] Consequently, the move to restrict expenditures was a culmination of a number of issues over ACP administrative costs.

[26] *Department of Agriculture Appropriation Bill, 1944*, House Report 571, to acc. H. R. 2481, 78th Cong., 1st Sess. (Washington, 1943), p. 13.

[27] *Congressional Record*, LXXXIX, 5463 (1943).

[28] *Report of Non-Essential Expenditures*, preliminary report pursuant to section 601 of the Revenue Act of 1941, Senate Document 152, 77th Cong., 1st Sess. (Washington, 1942), p. 5.

[29] *Agriculture Department Appropriation Bill for 1944, Hearings . . .*, p. 472.

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In 1944 the Congress refined its control by specifying not only the total allocation for administrative expense, but also the amount that might be spent at each level of administration. Once this step had been taken the subcommittee began to instruct administrative officials, in the hearings and reports, on the way that appropriated funds should be allocated among functions. Thus, within a three-year period, the Congress moved from a position of no direct control over administrative costs to detailed control.[30] With less money to spend and less discretion on how it might be spent, administrative officials were forced to make a number of adjustments in procedures. Greater emphasis was placed on decentralized program planning, and county and community committeemen devoted less time to inspecting farms for compliance with national regulations on conservation practices.[31]

Two other provisions enacted in 1943 and 1944 were a direct outgrowth of the incentive payment controversy. In 1943 the Congress voted to eliminate funds to support the ACP information program.[32] The House subcommittee apparently included this rider in the bill at the suggestion of the Farm Bureau, after evidence had been presented that employees of the information program in the field had been active in the political fight which followed the initial decision on incentive payments.[33] As a result of the provision, ACP officials were forced to rely upon the Extension Service for disseminating information to the farmers about the annual ACP.[34] In 1944, the House subcommittee, again at the suggestion of the Farm Bureau, proposed that no ACP employees who engaged in a detailed

[30] *Department of Agriculture Appropriation Bill, Fiscal Year 1945*, House Report 1271, to acc. H. R. 4443, 78th Cong., 2nd Sess. (Washington, 1944), p. 10.

[31] *Agriculture Department Appropriation Bill for 1946, Hearings* before the subcommittee of the Committee on Appropriations, House of Representatives, 79th Cong., 1st Sess. (Washington, 1945), pp. 316–319; letter from A. W. Manchester, Director, Northeastern Division, AAA, to H. D. Binkley, dated August 14, 1943. National Archives.

[32] *House Report 571*, 78th Cong., 1st Sess.

[33] *Agriculture Department Appropriation Bill for 1944, Hearings* . . ., pp. 1338 *et seq.*, and p. 1486; *Congressional Record*, LXXXIX, 3358 (1943).

[34] *New York Times*, July 21, 1943, p. 1.

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list of political activities should be paid from appropriated funds.[35] After objections from the Senate subcommittee, the provision was amended so as to relate the Hatch Act and the Anti-Lobbying Act of 1919 directly to ACP employees.[36] Since county and community committeemen were not considered federal employees within the meaning of these statutes, the provision failed to make any significant change in the status of the AAA as a political organization.[37]

The appropriations provisions enacted after the incentive payment controversy were the most far-reaching revisions made by the Congress in agricultural conservation policy between 1940 and 1950. In succeeding years, however, several important issues on program policy and administration were raised during the consideration of annual appropriation bills. While less controversy surrounded the enactment of provisions on these issues, they were nevertheless of central importance to the administration of the program.

Following its partial success in emasculating the ACP in 1943, the Farm Bureau continued to seek changes in the program's policies and administration. For example, in 1944 officials of the Farm Bureau recommended that the State Experiment Stations be given authority to approve and recommend changes in state agricultural conservation plans before their adoption.[38] The House subcommittee apparently favored adapting the program to individual state conditions, but was reluctant to decentralize program planning as far as the Farm Bureau desired. Thus, the subcommittee recommended, and the Congress adopted, a provision requiring each state AAA committee to approve the conservation practices on which payments were

[35] *Agriculture Department Appropriation Bill for 1945, Hearings* before the subcommittee of the Committee on Appropriations, House of Representatives, 78th Cong., 2nd Sess. (Washington, 1944), p. 1468; *Congressional Record*, XC, 2999 (1944).

[36] *Department of Agriculture Appropriation Bill, 1945*, House Report 1713, to acc. H. R. 4443, 78th Cong., 2nd Sess. (Washington, 1944).

[37] Memorandum from William A. Jump to T. Roy Reid, October 7, 1944; National Archives. Solicitor's opinion, U.S.D.A., January 16, 1941.

[38] *Agriculture Department Appropriation Bill for 1945, Hearings* . . ., p. 1467.

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made in the state.[39] Since ACP regulations already required such approval, the provision made no basic change in ACP procedures.[40] As in this case, the Farm Bureau was not wholly successful in achieving its objectives with respect to the ACP in post-war years. Indeed, most of the major changes in these years came from other sources and were often enacted over the objections of the Farm Bureau.

Twice between 1944 and 1950, members of the appropriations subcommittees were instrumental in changing the formula by which ACP funds were distributed among the states. In the first instance, a single subcommittee member was influential in securing the change while the second revision developed out of a major political struggle over the ACP in the 80th Congress. During the 1945 appropriations hearings, Senator Richard Russell (D. Ga.) discovered that Georgia received less money from the program than states of smaller or comparable size.[41] This discovery prompted him to suggest that new means of allocating funds among the states might be found. Several days after the appropriations bill was enacted that year, the Senator followed up his remarks in the hearings with a letter to the Chief of the AAA in which he urged that steps be taken to develop a "fairer distribution of funds."[42] Senator Russell's interest served to accelerate the search for a new formula which had been under way in the AAA for some time. Within a year a formula was developed[43] which received the approval of the chairmen of both appropriations subcommittees. The formula was not adopted without objections. Although Georgia and several other states benefited from the new plan, the New

[39] 58 *U. S. Statutes at Large*, pt. 1, 449 (1944).

[40] Memorandum from the Associate Solicitor, U.S.D.A., to Dave Davidson, Director, Field Service Branch, dated June 7, 1946.

[41] *Agricultural Appropriation Bill for 1946, Hearings* before the subcommittee of the Committee on Appropriations, U. S. Senate, 79th Cong., 1st Sess. (Washington, 1945), p. 267.

[42] Letter from Senator Richard B. Russell to N. E. Dodd, dated April 24, 1945. National Archives.

[43] *Agriculture Department Appropriation Bill for 1947, Hearings* before the subcommittee of the Committee on Appropriations, House of Representatives, 79th Cong., 2nd Sess. (Washington, 1946), pp. 1252–1253.

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England states lost a considerable amount of ACP money. Representatives in Congress from the area protested as a body to both the appropriations subcommittees and the Secretary of Agriculture without success.[44] The plan remained in effect for only one year, however.

During the 80th Congress which convened in 1947, the ACP came under attack from several sides. The issue at stake was the continued existence of the program. After the ACP became strictly a soil conservation program in 1943, the value of a cash payment program as a stimulus to conservation was repeatedly questioned. By 1947, the issue had become sufficiently important to receive the President's attention. In presenting the 1948 budget to the Congress, President Harry S. Truman recommended that appropriations for the ACP be reduced from $300 million to $200 million and that the "subsidy" program be gradually abandoned in favor of technical guidance by the Soil Conservation Service and the Extension Service.[45] The President maintained that such action was warranted by the strong financial position of agriculture after the war. The farmer, he asserted, was now in a position to practice conservation without "the promise of a bonus from the Treasury."

Within the 80th Congress, strong support existed for even more immediate action than that contemplated by the President. In fact, for the only time between 1940 and 1950, the ACP became the center of a partisan political struggle in the House. When the Republicans gained control of the House in 1947, Representative John Taber (R. N.Y.) became chairman of the Committee on Appropriations. A long-time advocate of economy, Mr. Taber stated that the primary objective of his committee was a $3 billion reduction in the President's budget—a cut which could be achieved only by reducing expenditures for all federal agencies.[46] In applying the reduction to the ACP, Mr. Taber received able assistance from the new chairman of the agricultural subcommittee, Everett Dirksen. Not only was

[44] *Ibid.*, pp. 1692 *et seq.*

[45] *House Document 19*, 80th Cong., 1st Sess. (Washington, 1947), M 38.

[46] *New York Times*, January 15, 1947, p. 8.

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Representative Dirksen an "economy" advocate, but he also favored liquidating the ACP immediately, principally on the ground that the program might lead in time to an "erosion of the rugged individual character" of the American farmer.[47] Under Mr. Dirksen's leadership, the House subcommittee reduced appropriations for the 1947 ACP to $165,614,290 despite the fact that the Congress had authorized a $300 million program in the previous session.[48] Moreover, on a vote which followed party lines, the subcommittee voted not to authorize a program for the following year.[49] After a bitter floor debate in which the subcommittee's action was opposed by Democratic members of both the Committee on Appropriations and the Committee on Agriculture, the House voted to support the reduction in appropriations and the elimination of the program.[50] The Senate, however, at the insistence of Republican and Democratic members alike, as well as officials of the Farm Bureau, succeeded in securing approximately $295 million for the 1947 program and a $150 million program for 1948.[51]

The smaller program authorized for 1948 created several problems. Members of the Senate subcommittee believed that the smaller amount of money would be ineffective unless a new method of distributing payments was devised. Consequently, the subcommittee proposed that the program should be planned and funds distributed to the states "in accordance with their needs as determined by the Secretary." At the same time, however, the subcommittee members wanted to avoid increasing or decreasing a state's funds too abruptly. Thus, a clause was added which provided that each state's share of the ACP funds for 1947 could not be less than 85 per cent of the proportion

[47] *Department of Agriculture Appropriation Bill, 1948*, House Report 450, to acc. H. R. 3601, 80th Cong., 1st Sess. (Washington, 1947), p. 5; *Congressional Record*, XCIII, 5999 (1947).

[48] House Report 450, 80th Cong., 1st Sess., p. 60.

[49] *Congressional Record*, XCIII, 5882, 5895 (1947).

[50] *Ibid.*, p. 6000.

[51] *Agriculture Appropriation Bill, 1948*, House Report 975, to acc. H. R. 3601, 80th Cong., 1st. Sess. (Washington, 1947), p. 11.

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that it received in 1946.[52] Under the formula devised to carry out these provisions, available funds were prorated among the states according to their long-range conservation needs, after which each state's allocation was adjusted to the 1946 distribution. This method of allocating funds was retained until 1951, when ACP officials persuaded the House subcommittee that a more flexible basis for allocating funds should be written into the appropriations act.[53]

As a further outgrowth of the 1947 controversy, the Congress lowered the ceiling on individual ACP payments from the $10,000 limit set by the AAA of 1938. From the beginning of the program, many congressmen had objected to the high ceiling which was placed on ACP payments by the original legislation. Representatives from the wheat-producing states in the Great Plains repeatedly asserted that the $10,000 maximum allowed a small number of absentee landlords to receive the largest portion of program funds.[54] In 1947 both the President in his budget message and officials of the Farm Bureau stressed the unequal distribution of funds among farmers.[55] Faced with these criticisms, as well as a reduced program for 1948, the Senate subcommittee proposed that the maximum payment should be lowered to $500, and the provision was adopted by the Congress.[56] After only one year, however, widespread demands for an increased maximum from western and southern congressmen, as well as Department of Agriculture and Farm Bureau officials, prompted the Congress to raise the limit to

[52] *Agricultural Appropriation Bill, 1948*, Senate Report 474, to acc. H. R. 3601, 80th Cong., 1st Sess. (Washington, 1947), p. 19; *Congressional Record*, XCIII, 8843 (1947).

[53] *Department of Agriculture Appropriations for 1951, Hearings* before the subcommittee of the Committee on Appropriations, House of Representatives, 81st Cong., 1st Sess. (Washington, 1950), p. 1437.

[54] See, for example, *Congressional Record*, LXXXVIII, 2114–2124 (1942).

[55] *House Document 19*, 80th Cong., 1st Sess.; *Agriculture Department Appropriation Bill for 1948, Hearings* before the subcommittee of the Committee on Appropriations, House of Representatives, 80th Cong., 1st Sess. (Washington, 1947), pp. 1906–1907.

[56] *Congressional Record*, XCIII, 8841, 10070 (1947).

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$750 in 1948 and to $2,500 in 1949.[57] The lower ceilings had only a limited effect upon the program. In some western states where large farm owners and ranchers were often unwilling to undertake expensive permanent conservation practices, such as irrigation facilities, without federal assistance, participation in the program dropped in 1948 and 1949.

The decision to retain the ACP ended, at least temporarily, the controversy over subsidies as a means of promoting conservation. Yet the decision left unanswered one of the basic problems of agricultural administration. Although both the ACP and the Soil Conservation Service were agencies of the Department of Agriculture, their policies and field operations were largely uncoördinated. The result, in the opinion of some House subcommittee members, was a duplication of effort and a waste of public funds. Consequently, after the Congress demonstrated its support of the ACP in 1947, the subcommittee turned its attention to the organization of the program. After reviewing the problem in 1948, the House subcommittee decided to leave any move toward reorganization to the Committee on Agriculture.[58] When that group failed to act, however, the subcommittee took matters into its own hands.

During the 1949 hearings the interest of the subcommittee in reorganization was heightened by the report of the first Hoover Commission which recommended that "all major soil, range and forest conservation agencies be brought into an Agricultural Resources Conservation Service."[59] The subcommittee apparently recognized that this proposal would encounter strong political opposition from the supporters of both the ACP and the SCS.[60] Consequently, it turned its attention to less com-

[57] *Department of Agriculture Appropriation Bill, 1949,* House Report 2321, to acc. H. R. 5883, 80th Cong., 2nd Sess. (Washington, 1948), p. 7; *Department of Agriculture Appropriation Bill, 1950,* House Report 899, to acc. H. R. 3997, 81st Cong., 1st Sess. (Washington, 1949), p. 11.

[58] *Congressional Record,* XCIV, 3010 (1948).

[59] "Department of Agriculture", *A Report to the Congress* by the Commission on Organization of the Executive Branch of the Government (Washington, 1949), p. 11.

[60] For a discussion of the politics of soil conservation reorganization, see Charles M. Hardin, *The Politics of Agriculture* (Glencoe, 1952), particularly chaps. 10, 12, 13.

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prehensive changes in the organization of soil conservation programs. The problem as viewed by the subcommittee was twofold. ACP funds, the members believed, could be used to better advantage if they were spent in the field under the supervision of SCS technicians.[61] Moreover, the existence of two separate agencies in the field created confusion among farmers seeking advice. As Representative Walt Horan (R. Wash.) remarked out of his own experience, "I know in my own county, I have been confused by the tremendous amount of not only Federal employees but others who are in the field. . . ."[62]

To solve these problems, the chairman of the House subcommittee drafted, with the approval of the Committee on Agriculture, a provision which authorized the county ACP committees to transfer 10 per cent of their funds to the SCS for assistance in administering the program.[63] The provision was accepted without objection by the House, but encountered strong opposition in the Senate subcommittee. In the upper house, subcommittee members regarded the provisions as an opening move toward diverting ACP funds to other purposes.[64] In conference, however, a compromise was achieved which allowed any county committee wishing to use the provision to transfer 5 per cent of its funds to the SCS. The conference report outlined in detail the methods by which the provision should be administered.[65] National administrators of both the ACP and the SCS were reluctant to develop coöperative arrangements for carrying out the provision until a change in personnel was made in 1951. In that year agreements for transferring funds were reached between SCS and ACP per-

[61] *Agriculture Department Appropriation Bill for 1950, Hearings* before the subcommittee of the Committee on Appropriations, House of Representatives, 81st Cong., 1st Sess. (Washington, 1949), pp. 349–350.

[62] *Ibid.*, p. 363.

[63] *Department of Agriculture Appropriation Bill, Fiscal Year 1950*, House Report 384, to acc. H. R. 3997, 81st Cong., 1st Sess. (Washington, 1949), p. 32.

[64] *Agricultural Appropriation Bill for 1950, Hearings* before the subcommittee of the Committee on Appropriations, U. S. Senate, 81st Cong., 1st Sess. (Washington, 1949), p. 842.

[65] House Report 899, 81st Cong., 1st Sess., pp. 11–12.

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sonnel in 441 counties throughout the country.[66] Thus, through the appropriations process, the first successful step was taken toward coördinating the administration of soil conservation programs.

III

The foregoing review offers considerable evidence that some of the most controversial issues of agricultural conservation policy were raised and resolved in the appropriations process between 1940 and 1950. While it is apparent that administrative authority was often restricted by the decisions reached, it is also clear that the issues were of sufficient importance to require definitive decisions at the legislative as well as the administrative level.

A number of reasons can be found for Congressional reliance upon the appropriations process for policy-making during this period. In the first place, several of the issues were raised as budgetary questions by executive officials, while others were presented to the subcommittees as problems which could be readily solved by budgetary means. In such cases, the agricultural appropriations subcommittees, particularly the House subcommittee, have seldom taken a narrow view of their authority over substantive policy. Subcommittee members have believed that one of their major functions should be the review of "the work of the Department [of Agriculture] which often leads to amending or creation of new law upon the part of our legislative brethren in the other committees."[67] Yet when prompt action has been necessary or the substantive committees have appeared to be "derelict in not providing the statutory basis,"[68] the subcommittees have not been reluctant to assume responsibility for initiating changes in policy themselves. Despite the limitations of the rules of the House and the Senate, the sub-

[66] *Department of Agriculture Appropriation Bill for 1953, Hearings* before the subcommittee of the Committee on Appropriations, House of Representatives, 82nd Cong., 2nd Sess. (Washington, 1952), pp. 1240, 1279.

[67] *Department of Agriculture Appropriations for 1956, Hearings* before the subcommittee of the Committee on Appropriations, House of Representatives, 84th Cong., 1st Sess. (Washington, 1955), p. 70.

[68] *Congressional Record*, LXXXIX, 3364 (1943).

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committees have sought to prevent the misuse of administrative authority by placing policy restrictions in appropriations acts.

The appropriations subcommittees were more active as leaders in agricultural policy between 1940 and 1945 than were the Committees on Agriculture, a condition which contributed to their policy-making rôle on the ACP. Both the Senate and House Committees on Agriculture were largely inactive in this period because of the age and health of the committee chairmen. At the same time, the membership of the appropriations subcommittees included some of the strongest Congressional leaders on agricultural policy—in the House, Clarence Cannon (D. Mo.), Malcolm Tarver (D. Ga.), and Everett Dirksen (R. Ill.); and in the Senate, Richard Russell (D. Ga.), John Bankhead (D. Ala.), and Clyde Reed (R. Kan.). Moreover, within the Congress, the subcommittees were believed to possess as complete a knowledge of the ACP as any other group. This position was achieved in part from long legislative service. Between 1940 and 1950, appropriations subcommittee members had attained considerable seniority in their respective houses, having served an average of 5.3 years in the House and 7.2 in the Senate prior to appointment to the subcommittees. Once appointed, they served on the subcommittees for an average of five years in each house. Knowledge of the ACP gained through committee service was often supplemented by personal experience. Traditionally membership on the subcommittees has been drawn from agricultural states, and many members approached their committee work with a working knowledge of the ACP gained prior to election to Congress.[69] Thus, the subcommittees possessed both the seniority and specialized knowledge which are prerequisites for authoritative leadership on policy in the Congress.

As noted earlier, policy-making in the appropriations process has been frequently criticized on the grounds that the Congress is seldom fully aware of the policy changes which it makes in

[69] Between 1940 and 1950, most of the members of both subcommittees represented southern, midwestern, and western states. Ranchers, wheat farmers, dairy farmers, and orchardists have been members of the subcommittees from time to time.

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appropriations bills. Yet the process by which the ACP policy changes described above were made actually differed little from policy-making through regular legislative channels. The rejection of the incentive payment plan by the House subcommittee without further review by the House or Senate was, of course, a flagrant abuse of power. Yet in the two years, 1943 and 1947, when the most far-reaching changes were made in the ACP, the Congress was given ample opportunity to consider proposals of the subcommittees.

In 1943, the amendment offered by Representative Cannon to prohibit the use of any Department of Agriculture funds for subsidies was fully aired in both houses. A record vote was taken on the amendment after a lengthy debate in which members of both the House subcommittee and the Committee on Agriculture joined. The provision was reviewed by the Senate subcommittee and debated on the floor of the Senate. Moreover, the provision was submitted to three committees of conference, and four record votes were taken in the House during discussion of conference reports. At the same time, the provision authorizing a $300 million program for soil conservation alone was discussed in both the House and Senate although no separate vote was taken. There could be no doubt about its intent, however, for during Senate debate Senator Russell stated specifically that the provision was one of two ways in which the Congress could regain control over ACP appropriations.[70] (The other, he stated, was to amend the authorizing legislation.) The limitation on administrative expenses, which was one of three such restrictions proposed by the House subcommittee, was discussed in the House committee report and debated on the floor. Two of the related restrictions were stricken from the bill on points of order, and a voice vote was taken on an amendment to the administrative expenses limitation.[71] The provision was reviewed and amended by the Senate subcommittee, debated on the floor of the Senate, and submitted to conference committee. Finally, the provision

[70] *Congressional Record*, LXXXIX, 5461 (1943).

[71] *Ibid.*, p. 3531.

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eliminating the ACP information program was not directly discussed during House debate, although a corollary provision transferring ACP funds to the Extension Service for carrying on ACP information work was stricken from the bill on a point of order.[72] The Senate subcommittee reviewed and amended the provision, reported its action to the Senate, and a compromise with the House was achieved in conference. From this brief summary, it is clear that the Congress could not have been wholly unaware of what it was doing when the 1943 policy changes were enacted. While the appropriations subcommittees obviously were in control of both floor debate and conference consideration of the provisions, their leadership differed little from that exercised by other committees during the enactment of legislation.

When making decisions on ACP policy, subcommittee members were apparently affected by the same kinds of influence which prevail in other phases of the legislative process. Between 1940 and 1945, the Farm Bureau exercised a strong influence on the House subcommittee. In itself this might provide a serious indictment against the appropriations process as a channel for making changes in ACP policy. It is important to keep in mind, however, that most of the Farm Bureau proposals which were accepted by the House subcommittee were altered considerably after they had been reviewed by the Senate. Moreover, the influence of the Farm Bureau on the House appropriations subcommittee differed little from that which the organization exercised over much of the agricultural legislation enacted between 1933 and 1945.[73] Perhaps of equal significance in considering the rôle of the Farm Bureau was the manner in which its influence waned after 1946 when changes occurred in the leadership of both the Farm Bureau and House appropriations subcommittee. When Farm Bureau leaders recommended changes in the ACP after 1947, they received a decidedly cool reception from members of the House subcom-

[72] *Ibid.*, p. 3493.

[73] See, for example, Russell Lord, *The Wallaces of Iowa* (Boston, 1947), pp. 330–364; Grant McConnell, *The Decline of Agrarian Democracy* (Berkeley, 1953); "The Farm Bloc", *Fortune*, vol. XXIX (June 1944), p. 191.

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mittee.[74] Interest groups, it would appear, by no means controlled policy-making in the appropriations process, but tended to influence decisions most when an identity of interest existed between members of appropriations subcommittees and interest-group officials.

A number of other factors besides interest-group pressures appeared to influence the decisions of the appropriations subcommittees. Personal experiences often provided a basis for evaluating policy issues. During Senate hearings on ACP appropriations in 1943, for example, Senator Rufus Holman (R. Ore.) sought an understanding of the problem in the following terms: "I raise soil enriching crops, just in running my business. I cannot run my business and not do it . . . but I would do it anyhow without the Government giving me money. However, the Government wants to give me some money; is that the idea?"[75] At other times the influence of pressures from constituents was revealed. Again by way of example, in 1949 Senator Russell urged that the $750 limit on ACP payments be reconsidered, stating that he had had numerous complaints on the provision from his own area, notably a telephone call from a former college classmate.[76] The subcommittee members were also influenced by their own concepts on the proper functioning of the governmental process and on the rôle of government in American society. The incentive payment controversy was in large part a struggle between the Congress and executive agencies over which would have the power to determine price policy. "Why this insistent determination to dispense open-handed charity when none is asked or desired?" Representative Cannon asked at one point. "The Congress has repeatedly gone on record as being opposed to subsidies."[77]

[74] *Department of Agriculture Appropriations for 1951, House Hearings . . .*, pp. 2112 *et seq.*; in the early 1940's when the AFBF had considerable influence on the appropriations subcommittee, national membership totaled less than 500,000. By 1950 when its influence had diminished, membership stood at around 1,500,000.

[75] *Agricultural Appropriation Bill for 1944, Hearings* before the subcommittee of the Committee on Appropriations, U. S. Senate, 78th Cong., 1st Sess. (Washington, 1943), p. 419.

[76] *Agricultural Appropriation Bill for 1950, Senate Hearings . . .*, pp. 800–802.

[77] *Congressional Record*, LXXXIX, 3510 (1943).

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Representative Dirksen's remarks in 1947 on the "erosive" effects of the ACP on the farmer's character provide but one of several examples of the influence of personal beliefs upon ACP policy decisions.

IV

The findings presented in this case study indicate that some of the frequently raised objections to policy-making in the appropriations process may lack general validity. Congressional control of ACP policy was in large part limited to administrative policies over which conflicts had arisen. Moreover, the control was exercised in a manner which differed little, in terms of legislative procedures, from that regularly followed by the Congress in enacting substantive legislation. Under some circumstances, it would seem that the appropriations process may serve as a useful and necessary channel for Congressional review and control of administrative policies.[78]

At the same time, the Congress is apparently distracted from its principal function in the appropriations process—the formulation of fiscal policy—by its preoccupation with substantive policies and issues. The agricultural appropriations subcommittees have by no means been unmindful of the need for balancing the financial needs of agricultural programs against those of other agencies or governmental revenues. For example, in presenting the appropriations bill to the House in 1945, the appropriations subcommittee chairman explained that reductions had been made in the budget because "if we do not accept economy in this Congress, except as that economy is in accord with our own views, we are not going to accept a great deal of it."[79] Yet, on the whole, the subcommittees have displayed a paternalistic attitude toward agricultural appropriations. Indeed one recent report of the House subcommittee affirmed that its decisions on the "financial needs of the Department of

[78] These observations should be compared with the conclusions reached in a recent study by Arthur Smithies, *The Budgetary Process in the United States* (New York, 1955), pp. 375–378.

[79] *Congressional Record*, XCI, 2716 (1945).

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Agriculture . . . have been centered around the basic need for preserving a prosperous Agriculture."[80]

Policy-making in the appropriations process and paternalism for agricultural interests derive alike from the organization of the appropriations process. By dividing the President's budget into several segments and referring them to subcommittees which generally parallel the policy areas of the substantive committees, the Congress emphasizes the substantive aspects of spending. Neither the legislative budget of 1947 nor the omnibus appropriation bill of 1950 was able to overcome the tendency of the Congress to think in terms of budgetary segments, rather than totals. It is doubtful, of course, whether the Congress could, or should, divest itself completely of interest in substantive policy when appropriating funds. A national budget, unrelated to policy objectives, would be a highly unrealistic document. Yet smaller, less fragmented appropriations committees could undoubtedly prepare appropriations legislation which would be sound from the standpoint of substantive policy without the detailed analysis of the budget which now takes place. If such a shift in emphasis should occur, the substantive committees should assume responsibility for the annual review of programs which now takes place in the appropriations process. In a system of government which places as great an emphasis upon delegated authority as ours, opportunity for regular and systematic review and, if necessary, control of administrative policy-making must exist.

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[80] *Department of Agriculture Appropriation Bill, 1954*, House Report 422, to acc. H. R. 5227, 83rd Cong., 1st Sess. (Washington, 1953), p. 1.

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REVIEWS

Modern Political Parties: Approaches to Comparative Politics. Edited by SIGMUND NEUMANN. Chicago, The University of Chicago Press, 1956.—xii, 460 pp. $7.50.

In the double-columned pages of this substantial volume, ten well-established scholars have written ably and informatively about parties in the countries of their respective specializations. Britain, France, Belgium, the United States, Russia, Japan, and Germany are discussed under separate headings, and there are also sections on Eastern Europe, Scandinavia, and the overseas Commonwealth. It is especially useful to have included countries, like Japan and Belgium, whose parties are infrequently described in the literature of American political science. Each of the contributions is a valuable analysis, usually complete with an election table that is as up-to-date as possible.

The work is distinguished from the fairly large number of jointly written texts on foreign politics by the fact that it focuses on a particular institution. This may partially meet the demand, current and popular among political scientists who discuss methodology, for a topical and "truly comparative" approach instead of the usual country-by-country analysis. Yet the individual essays, as well as the organization of the book, show a judicious regard for historical and social contexts. The authors are by no means prepared to abstract parties from their national settings.

Among the special features of the work is the inclusion of the United States. Although the section on American parties (a stimulating essay by E. E. Schattschneider) is only half the length of the sections devoted to most other major nations, it is fortunate and unusual to have any American material analyzed along with the political institutions of foreign countries. There is much to be said, if ever adequate generalizing about democratic parties is to develop, for an integration of American and European data. On the other hand, the inclusion of Russian and East European material has to be justified on the rather different basis of general importance and interest. It is plain enough, as the editor notes, that the party in a totalitarian state is a different phenomenon from a party which competes for votes and power. No doubt, there can be some very broad comparison, but to understand the nature of democratic parties the Soviet case cannot be directly illuminating. The

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fairly lengthy essay on the U.S.S.R., by Frederick Barghoorn, stands on its own considerable merits as an analysis of a totalitarian system.

In general the book invites comparison with Maurice Duverger's *Political Parties*. Although the latter, translated and available in English since 1954, differs in many ways from Neumann's, nevertheless it is concerned with the same subject matter. Duverger's study is that of a single scholar seeking to integrate a great deal of research, including much of his own, concerning the structure of political parties. His method necessarily precludes the approach of Neumann's area specialists, and largely avoids the presentation of parties as functions of given national circumstances. As a result, Duverger is open to criticism for treating party and election systems as though they were primary causal agencies; but there is no doubt that his work is "truly comparative" and that it reflects a single challenging intellectual perspective (even if a limited one).

The Neumann volume, in contrast, has started with "no preconceived directions or definitions", but rather with the underlying expectation "that a wider conceptualization would emerge out of the factual presentation of the various party systems" (p. v). The "conceptualization" that Neumann stresses in his general summary is that older and looser forms of party are giving way to more highly integrated organizations. A second but related theme arises from the very importance which Neumann and his contributors have attached to parties. Not only does their choice of subject matter display such an intention, but Neumann concludes by explicitly noting the "weighty responsibilities which rest primarily with the peoples' great intermediaries: the political parties" (p. 421). With such high praise, and near idealization, of the party rôle, it is understandable that there should be a preference for the highly integrated organization on the assumption that this form allows a party to be a more effective political agency.

LEON D. EPSTEIN

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Elections and Electors: Studies in Democratic Representation. By J. F. S. Ross. London, Eyre and Spottiswoode, 1955, and Fairlawn, N. J., Essential Books, Inc.—480 pp. 42*s.*; $6.75.

In 1943 Mr. Ross, in a little book called *Parliamentary Representation*, looked at the personnel of the House of Commons and suggested a scheme for electoral reform. The new book continues in greater detail the analysis of Commons; excellent tables and striking graphs provide much

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interesting information about age, previous service, education, and occupations of the members after the general elections of 1945, 1950 and 1951. There is also a concise history of the three Speaker's Conferences on electoral reform. But the main burden of the book is a much more complete analysis and demonstration of the proposed reforms, chiefly the substitution of multi-member for single-member constituencies and the use of preferential voting and quota counting.

The fundamentals and definitions in the earlier chapters are refreshing, because they indicate how far astray most of us habitually go by a slovenly use of language, even in the most respectable print. But one soon becomes aware that this cool lucidity of an apparently scientific approach serves a passionate book. The treatment of the English urban elector in the redistribution of 1948 is "scurvy"; the present electoral system must be scrapped in favor of one "much more rational, more reliable, and more civilized." Machinery, true, is not enough: "we need also the white flame of a vital belief in the potential worthwhileness and dignity of the human spirit, even in ordinary people." The author wants members of parliament to be able and to form a real microcosm of the country; and he wants them, too, to show more independence. The bugbear clearly is party. If one assumes the premises, it is easy to accept the reforms, even down to the heretical contention that it would be beneficial to have more coalition governments, the price of avoiding landslides like 1945 which do not correspond to electoral reality.

The current American debate about the relation of history to the social sciences can derive some illumination from Mr. Ross's book. His historical citations are as good as unexceptionable, but history is an outlook as well as a storehouse: and the spirit here is that of the social engineer. "Should" easily becomes "can"; inconvenient but immovable obstacles evaporate—"the party zealots who mistake the interests of their own party for those of the country: these we can disregard." But the historian, sunk in his skepticism, wonders if Burke is so irrelevant. Mr. Ross can hardly set aside fundamental differences about the nature and ends of the political process by classing his opponents with the men who saw chaos in the People's Charter. Partisan unity and "mandates", however foolish logically, may be necessary to carry through reform in a great nation today. Some extremities and ill-considered acts are probably the price of progress in policy which seems to proceed by lurches and setbacks, not in a steady flow. Strong parties may be necessary brokers in a society so many of whose members "couldn't care less", or care only specifically and occasionally. The real educability of the electorate—even to appreciate preferential voting and quota counting—

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is at least doubtful. And surely one can question ideals of exactitude and ultimate rationality in government.

But to cite the difference between Mr. Ross's commitments and enthusiasm and a historian's skepticism is to state a fact, not to deplore a lapse. There is much in the British electoral system that is silly or harmful, and Mr. Ross challenges assumptions and points to real possibilities for improvement. An imaginative government should put him on the royal commission he recommends; it would be interesting to see if and how he would compromise. In an exhilarating reconstruction of the system for the general election of 1950 he sounds wonderfully like Edwin Chadwick—exciting, ingenious, valuable critically, repugnant. Seven hundred highly qualified, vocal, and various members without simple patterns of cohesion? Perhaps there is still something to be said about the virtues of "the finest brute votes in Europe", and nations "too clever to be free".

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Congressional Politics in the Second World War. By ROLAND YOUNG. New York, Columbia University Press, 1956.—281 pp. $4.50.

Here is a highly concentrated account of the activities of the American Congress during the Second World War. The work is characterized by unusual clarity and economy of means, for in less than 250 pages of text, the entire legislative and political gamut of Congress during the war period is surveyed, with specific events, names, votes, proposals, achievements and failures, along with the author's pertinent observations, suggestions and conclusions.

During total wars it is next to impossible for the American Congress, circumscribed not only by the inhibitions of all legislative bodies at such times but also by the constitutional separation of the legislative from the executive branch, to have any effective influence in military affairs and foreign policy. In foreign affairs, the Second World War demonstrated noteworthy coöperation between both houses of Congress, between President and Congress, and between political parties. In large part this was due to the acceptance, at long last, of the revolution in American foreign policy—the acceptance of America's full responsibility in world affairs. (Because this national consensus on something so elementary was a new thing, bipartisanship in foreign policy was praised at the time far beyond its democratic usefulness for the future.) But mere agreement to participate in international politics—even to join an international

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organization like the United Nations—does not determine the specific international policies to be pursued; and the implications for the future of such executive pronouncements as that of unconditional surrender and of such conferences as Yalta can hardly be said to have been recognized, let alone debated, by Congress.

The executive, the military and the bureaucracy increased their powers enormously. Congress knew this but was able to do little about it. Almost boundless grants of power were allowed the President; and sometimes the President, in creating new government agencies and in directives having the effect of law, perhaps went beyond even these. Not infrequently Congress was given the devil's choice of accepting, through subsequent appropriations, a *fait accompli*, or of disapproving a program which could not readily be discontinued. The President's subsidy program to stabilize prices is only one example of this. And when the President demanded a freezing of agricultural prices at 100 per cent of parity, and not, as the law then stood, at 110 per cent of parity, he could afford to say bluntly: "If you do not act, I will." In this case, Congress swallowed its pride and acted.

After delegating vast powers to executive and administrative agencies, Congress became a watchdog over their activities. The regular Congressional committees constantly investigated these activities and in addition numerous special investigating committees were set up. Donald Nelson, Chairman of the War Production Board, found that he had to discuss the rubber shortage with seventeen different Congressional committees. No committee became the nuisance that the Joint Committee to Investigate the Conduct of the War was in Lincoln's time, and some of the committees, notably the Truman Committee, were positively helpful. As the war progressed, informal consultations between administrative agencies and Congressional committees developed, and these, less sensational than formal investigations, were generally more fertile and less time-consuming. Congressional investigations and denunciations of bureaucrats relieved Congressional feelings of guilt at having delegated so much power, and they allowed the many segments of the American economy which at one time or another felt discriminated against by war measures (repeatedly in the case of the farmers) an airing of their grievances and occasionally a rectifying of wrongs.

In spite of the decline of Congressional influence in wartime, Congress won some notable victories. National universal-service legislation was defeated. Civilians were not frozen to their jobs. But the escape from universal service was a narrow one, and in any future total war we may expect to see this and other barriers against a monolithic war society go down. Not so fortunate (because it contributed to the post-war

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inflation) was another Congressional victory—the defeat of adequate war taxation. "Balance the Budget" as a conservative slogan was an early war casualty. To leaders like Senator George, higher taxes meant lower profits and less ability of private enterprise to maintain the flow of capital investments to the economy. Professor Young suggests, though he does not make explicit enough, why Congress was so much more influential in tax and in anticipatory reconversion legislation than it was in wartime price stabilization and other matters.

During even the most critical periods of the war, as the author makes abundantly clear, party politics in Congress were not adjourned. This may well have been the most notable contribution of Congress to the war and to the peace. The adjournment of politics would have meant the adjournment of democracy. Congressional debates kept vigorously alive the basic questions of the domestic politics of our times, the questions which have caused the most important divisions between our political parties and within them. These questions, of course, revolved around the respective limits of the developing Keynesian state and of free enterprise. Any Congressional inadequacies in wartime were more than compensated for by this inestimable service to the democratic process.

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THE UNIVERSITY OF FLORIDA

Politics and Science. By WILLIAM ESSLINGER. With a Foreword by Albert Einstein. New York, Philosophical Library, 1955.—xi, 167 pp. $3.00.

The basic premise of this study is not new: it is the discrepancy between the advances of technology and the inability to cope with the political and social problems created by them. What makes the book important is the author's penetrating analysis, and his challenge that the social sciences have neither reason nor, therefore, justification to let this increasingly ominous state of affairs continue. A sweeping survey of the social sciences, which is both erudite and lucid, leads him to the conclusion that they could, and should, be much more constructive than they are. The well-known excuses—that values are beyond scientific determination, that more "basic" research is required, and so on—he finds, do not stand up to closer scrutiny. He endeavors to show that, for example, the quest for mathematical predictability and immutable laws is not even indispensable in the physical sciences, or in the fields concerned with the human person which are generally considered "sciences", such as medicine, psychology and economics.

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Esslinger maintains that the several branches of the social sciences (among which he includes legislative craftsmanship and jurisprudence) do not sum up to what is needed—a science of practical politics. He finds it symptomatic and alarming that, for example, Charles A. Beard could write, "no science of politics is possible, or if possible desirable." His principal thesis is that we have not yet applied the same scientific approach to matters political (in the domestic and international fields) which have been used so successfully in the physical sciences. This, he believes, is due to a misconception about science in general. "Science is not a certain body of knowledge. What is characteristic of science is its method, not its changing contents. . . . It is a kind of activity, not a thing. The noun science is therefore misleading. Leslie A. White has given the excellent formulation 'Science is sciencing'" (p. 19). "Sciencing" is all we can do, but, far from having exhausted it, we have not yet started systematically to apply it. He is here in the great tradition of Bagehot.

The slender volume contains much food for thought. For example, Esslinger attacks the "men not measures argument" which, he claims, is but an invalid excuse for not thinking about, or not using, or not creating, or not improving, the social institutions, laws and organizational measures that would be plainly beneficial without, or before, "improving man". Medicine used to be similarly inhibited: but after physicians began to fight against bacteria they brought many infectious diseases under control even while the human constitution has remained constant. One of the best chapters, in this reader's view, is on "Politics and Morals". Starting from Pascal's "to think well, this is the principle of morality", he urges that many a *Scheinproblem* can be discarded by establishing a correct relation between morality and politics through right reasoning.

Ranging his observation from relevant methodological and epistomological aspects to the desirable curriculum of a comprehensive Science of Politics, Esslinger does not overlook the difficulties. But he believes that many potentialities are obscured by the inadequacy of the tools, that is, the (avoidable) distortions of concepts and definitions in political science, history, sociology, and so on. (Even Aristotle included in his definition of a ship, a certain size.) He emphasizes the importance of indirection. "The indirect way is the way of reason, science, and technique. . . . No one today expects to live by directly collecting his food. Only in politics do people still think they can . . . attain their ends directly without much thought about technical details" (p. 112). "Law and government are . . . not the result of morality; rather they make it possible for the moral potentialities of men to become realities."

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The book outlines a plan for interdepartmental "schools of politics" (ch. 11). "Only when schools of politics become the rule . . . will the public understand that politics is something that can and must be studied like other practical sciences" (p. 104). Just because politics is a practical discipline, he insists, it must profit much more than it does now, from theory. "Nothing is so practical as theory" while, as Goethe said, "nothing is more frightful than active ignorance" (p. 85). In one of his felicitous formulations, Esslinger asks for wider use of comparative history: "The object of comparative history in the service of politics is the same as the object of all science—'self-creation of experience'" (p. 111).

At several points, the author pleads for world government. This extraneous topic should have been left out. But the book will prove stimulating also to readers who, like the reviewer, consider "world government" either a utopia or a misnomer.

JOHN H. E. FRIED

NEW YORK UNIVERSITY

Energy and Society: The Relation Between Energy, Social Change, and Economic Development. By FRED COTTRELL. New York, Toronto, London, McGraw-Hill Book Company, 1955.—xix, 330 pp. $6.00.

At a time when many of the theories about history and society refer exclusively to religious ideas, or to values, or to types of personality as determining elements, it is useful to be reminded of the importance of material factors, such as the available forms and amounts of energy. Among a host of Spenglers, Sorokins, Toynbees, Gorers, Fromms and Meads, there is room and to spare for a Cottrell to write about "the relation between energy, social change, and economic development." This book is a vast, and often fascinating, handbook of facts and statistics about the significance of the forms and amounts of energy that have been available both throughout past human history and at the present time among the different societies all over the world.

The best way to see how long and how wide is the author's scope may be to glance over the following list of subjects he treats: the nature and characteristics of energy; organic energy and the low-energy society; economics and the morality of low-energy society; the river as transport; the river as source of mechanical energy; the sea and the ship; sail, trade, and mercantilism; sail and stream in antiquity; steam: key to the Industrial Revolution; British and European railroad usage; petroleum; nuclear fuel; electricity; hydroelectric power; the internal combustion

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engine; the assumption that progress is inevitable; the prospects for Asia; communism versus capitalism; the industrialization of agriculture; capitalism in theory and fact; the controlled population; Marxian theory and Communist practice; modern technology and international disequilibrium; technique and organization; the "curse" of bigness; changing property rights; the corporation; instability of the free market; the business man versus the politician; war and the modern state; political bureaucracy; the future of government; the world state; ideological unification; underdeveloped areas and the welfare state; and short-term and long-term prospects.

This is certainly a large and mixed bag of subjects. On each of them, the discussion brings out certain broad relations between energy, on the one hand, and the historical and social situation, on the other. Of course, not all of Cottrell's points are original. But they do indicate some of the ways in which sources and amounts of energy set certain limits to the development and functioning of social forms. All of this has a certain value for shaping our perspectives on the various interrelated natural and social factors that have produced history and society.

Unfortunately, the discussion always remains too broad. For, while it is true that the forms and amounts of energy do stand in some significant relationship to the forms of society, there is also the fact of considerable societal variation around the same form and amount of energy. Consider, for example, the differences among modern industrial societies or among pre-industrial societies. It is these differences that are not explained. And, indeed, even the explanations of broad uniformities, among industrial societies for example, are simplistic. In sum, Cottrell is offering a kind of "energy theory" of history and society, and it will no better serve the requirements of practical policy or systematic social science than any other monistic and deterministic theory. Cottrell is not unaware, it should be noted, of the inadequacy of the kind of theory he offers.

"There are and have been many kinds of labels", he says, "used in explaining why man persists in or modifies his behavior. He has been variously classified as primarily a power-seeking or political animal, a money-seeking or economic being, a being endowed by blood and soil with racial instincts which guide his choices, the helpless puppet of physical or biological forces which move him, an anarchistic element in time and space guided only his will, and many other kinds of creature. . . . Here we provide no such grand scheme. We are trying to discover the relations between the energy converters and fuel men use and the kinds of societies they build" (p. 3). Cottrell seems to have gone astray

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in spite of his better knowledge. Yet the straying may have its value for those social scientists who have darted off on an opposite course, turning their backs on the importance of energy, technology and science in society.

BERNARD BARBER

BARNARD COLLEGE

Historical Inevitability. By ISAIAH BERLIN. London, New York, Toronto, Oxford University Press, 1955.—79 pp. $2.00.

Isaiah Berlin seems to have gone to the London School of Economics on May 12, 1953 to bury and not to praise Auguste Comte. But although the occasional character of his lecture, the first on the Comte Memorial Trust, now published as *Historical Inevitability*, dictated that his sharpest words be reserved for Comte, the fact is that this is a wide-ranging criticism of all the diverse philosophies that lessen our belief in the moral and historical responsibility of the individual.

Ultimately, according to Mr. Berlin, despite their different degrees of optimism or pessimism, men like St. Thomas and Comte, like Professor Butterfield and the "unnumbered American disciples" of Jules Verne, H. G. Wells and Bernard Shaw, and like the heirs of Hume and of Marx must be bulked together. All, whether they declare truths acquired by cogitation, or plead the ignorance of a new science and proceed by counting, are "metaphysicians", devotees of real entities such as Providence, the Laws of Sociology, Progress, Tradition, and History, which determine men's political, historical, or moral action. The result of this determinism, he argues with impeccable logic, is the dangerous notion that all moral judgments, including those in history books, on the acts of men and nations are vestiges of a superstitious, pre-scientific past. Now, of course, Mr. Berlin does us a service by his reminder that a belief that history (or social change) is totally rational (or lawful) leaves no place, except through a Kantian antinomy, for a belief in human freedom. Besides, any attempt to disprove his assumption—which he himself really does not try to prove—that the important aspects of history are not totally lawful would require a denial of history itself. But it is important, at least in argument, to be correct for the right reasons; and it is weakness in this respect that makes it likely that this little book will give more discomfort to the author's philosophical allies than to those against whom he writes so earnestly.

We are told repeatedly—although, incidentally, we are told also that the search for laws increasingly is influencing the outlook of our times—that the actual behavior, the "normal thoughts", the "everyday use of

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words" of ordinary men (as well as of working historians) show how irrelevant and unnecessary deterministic theories are as descriptions of human experience. Determinism cannot be true; for, if it were, "too much that we accept without question would turn out to be sensationally false." These appeals to the ordinary interpretations of experience—this insistence that appearance is reality reminds one of the troubles of Copernicus. Again, we are told—despite an ambiguous comment (p. 12) about "absolute standards"—that we are to "judge as we judge"; and presumably this means that we are to use our customary standards. We are advised to be "empirical"—in morals this surely means that we are to find our standards in tradition. Yet Mr. Berlin's strictures (pp. 9, 45) against "conservatives of our own day" come close to denuding tradition of all moral authority! And again, the mighty arguments used in the discussion of free will by the British empiricists cannot be dismissed (in a footnote on pp. 26–27) by the statement that if those arguments are correct, "the concept of worth and desert, as these terms are now used, would become empty for me."

At times, through bright openings in the screen of argumentation (e.g., pp. 14 and 59), one can detect what may be the stones of an imposing edifice of thought; but these glimpses are only brief and teasing. A less polemical book might have discovered more. For the present we may say that Mr. Berlin has come out strongly on the side of the angels, but that they will need to do much on their own behalf.

J. B. Stewart

Barnard College

Jean-Jacques Rousseau: A Critical Study of His Life and Writings. By F. C. Green. New York, Cambridge University Press, 1955.—viii, 376 pp. $5.00.

Jean-Jacques Rousseau has been celebrated as a genius, an innovator, and a democrat; he has been dismissed as a psychotic, a sentimentalist, and an authoritarian. His contradictory character and erratic life-history have frequently acted as traps for the biographer: he was prudish and prurient, he preached affection and collected enemies, he praised family life and abandoned his children, he advocated education for self-reliance and clearheadedness and was dependent and paranoid, he could never live with or without Geneva. In his sympathetic and judicious biography, F. C. Green takes account of all these facets of Rousseau's being; the study reflects his conviction that with his subject the permanent

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and the attractive far outweigh the ephemeral and the pernicious. With Rousseau, as with so much else, the truth does not lie in the middle.

Mr. Green has thus made a valuable contribution to a bulky and contentious literature. In addition to assimilating all of Rousseau's works and correspondence, he has made liberal use of the latest scholarship, particularly of the informed articles in the *Annales de la Société Jean-Jacques Rousseau*, and of critical editions of individual works. Rousseau quarreled with everyone, and his quarrels have led many writers to become violent partisans. Not so Mr. Green, who neither accuses nor apologizes, and who manages to give a fair hearing to Rousseau's most vigorous adversaries, such as Diderot and Voltaire (toward whom he seems to have mellowed considerably since his *Eighteenth-Century Studies*). With few lapses into clichés, Mr. Green's prose and translations do justice to Rousseau, who was a great if unorthodox writer.

Nevertheless, this new biography has its limitations. The sections on Rousseau's political ideas are regrettably unoriginal. Mr. Green has been ill-advised, I think, to depend almost exclusively on C. E. Vaughan, whether in agreeing or arguing with him. Vaughan was a pioneer in the study of Rousseau's political theory, but his critical writings have been modified if not fully superseded by the subsequent work of Cobban, Cassirer, Wright, Hendel, Groethuysen and Derathé, all of whom are ignored in this book. While Mr. Green's account of Rousseau's political ideas is accurate and clear on the whole, his justified denial that Rousseau was a totalitarian could have been made more effectively than it is made here, first, by giving a less simplistic definition of totalitarianism, and, second, by elucidating Rousseau's crucially important chapter on voting in the *Contrat social* (Book IV, chapter 2). Mr. Green deals with the rather frightening implication of that chapter that the man who has voted with the minority is always wrong, but he neglects the paragraph which nullifies it: "This presupposes, indeed, that all the qualities of the general will still reside in the majority: when they cease to do so, whatever side a man may take, liberty is no longer possible." (G. D. H. Cole's translation)

It is, therefore, in its account of Rousseau's career, his wanderings, his musings on education and on love, and in the satisfyingly abundant quotations from the literary works and the letters, that Mr. Green's biography is at its most rewarding. This book shows how it was possible that a tortured misfit produced a self-analysis of an authenticity and sensitiveness equaled only by the greatest of novelists, and a political theory that has moved men to this day.

PETER GAY

COLUMBIA UNIVERSITY

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Continuity and Change in Russian and Soviet Thought. Edited with an Introduction by Ernest J. Simmons. Cambridge, Harvard University Press, 1955.—xii, 563 pp. $7.50.

The Arden House Conference that produced this excellent volume of essays was the second meeting of this kind held under the auspices of the Joint Committee on Slavic Studies of the Social Science Research Council and the American Council of Learned Societies. The first conference produced a similar volume entitled *Soviet Economic Growth: Conditions and Perspectives* edited by Abram Bergson (Evanston, 1953).

If there is a consensus among the thirty-two contributors to the volume under review, it would appear to be that continuity between tsarist autocracy and Communist dictatorship is more apparent than real and change more real than apparent. Every one of these papers contributes something to our understanding of the origins and characteristics of the present régime in the U.S.S.R. I shall try only to convey something of the range of topics touched upon and mention a few of the views expressed that interested me and may interest others.

The book is divided into six parts, each containing four or five essays plus a review or commentary on the general theme of the preceding papers. A list of the titles of these sections will be the best indication of the scope of the book: Part I, "Realism and Utopia in Russian Economic Thought"; II, "Authoritarianism and Democracy"; III, "Collectivism and Individualism"; IV, "Rationality and Nonrationality"; V, "Literature, State, and Society"; VI, "Russia and the Community of Nations (Messianic Views and Theory of Action)".

The economic historian will naturally be more at home with Oliver Radkey's "Chernov and Agrarian Socialism Before 1918" than with Victor Erlich's "Social and Aesthetic Criteria in Soviet Russian Criticism". The humanist, on the other hand, may turn first to René Wellek's "Social and Aesthetic Values in Russian Nineteenth-Century Literary Criticism" or Georges Florovsky's "Reason and Faith in the Philosophy of Solov'ëv", but it would be a pity to overlook Theodosius Dobzhansky's study of totalitarianism and science in "The Crisis of Soviet Biology". Political scientists and historians will find stimulating and controversial interpretations of events of the Soviet period in the several papers relating to those years. For example, Alexander Gerschenkron suggests that the Bolshevik Revolution did not mean the victory for Marxism but in fact "spelled the end of Marxian idealogy in Russia." Adam Ulam gives a perceptive account of Stalin's victory over his rivals in the course of which he notes that the "complex causes . . . which led to the real Russian revolution—the collectivization and industrialization of the

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late twenties—remain still to be fully investigated." He speaks of the purge trials of the thirties as having been "staged to serve as the final revision of the Party history." He notes the emergence of a new middle class of bureaucrats and technicians resplendent in the revival of uniforms, titles and decorations but without abandoning the essential elements of totalitarianism. Merle Fainsod also stresses the fact that, in spite of tsardom's great responsibility for the Soviet régime, the gulf between autocracy and totalitarianism is wide and deep.

With respect to Russian thought in general Geroid Robinson believes that, in terms of rationality, pre-revolutionary thought was poorly developed, that the level of rationality in Soviet thought is low and that this low level is in part due to the underdevelopment of rationality in the centuries of pre-revolutionary Russian history. He suggests further that, in assessing the chances of communist revolution in "advanced" and "backward" countries, we should consider the state of their development in systematic thinking as well as in economic, social and political matters.

In writing about nationalist messianism Hans Kohn quotes a famous passage from *The Possessed* to the effect that "the Russians were the only God-bearing people on earth 'destined to regenerate and save the world in the name of a new God, and to whom are given the keys of life and of the new world.'" Kohn concludes that there is a fundamental difference between the nationalist messianism of Dostoyevsky's age and Stalin's. In the nineteenth century it was proclaimed by a few individuals among whom was a man of genius; under Stalin it was pronounced by "the men in power who, though they seemed to descend from the 'possessed' whom Dostoyevsky abhorred, were the illegitimate heirs of some of Dostoyevsky's most cherished and characteristic visions."

Kermit McKenzie makes the interesting observation that during the period 1935–1939 communist messianism was modified to include under certain circumstances not the expropriation but the salvation of the *bourgeoisie* and its culture in the form of the "democracy of a new type" part bourgeois, part socialist. McKenzie believes that we shall find the origin of the post-war "people's democracies" in the concept of the "democracy of a new type" put forth by the Comintern during the period of the popular front.

Frederick C. Barghoorn mentions a kind of "messianic" or "imperialistic" attitude in the principal post-war Soviet international theme—peace—and in the use of the World Peace Council to support the Soviet Union's claim to possess the only key to peace and well-being for all men. He notes that the Communists try to get around the awkward fact that

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Marx was not a Russian by turning him, as Barghoorn puts it, into "a sort of 'honorary Russian' " and by emphasizing that only the Lenin-led Russian proletariat had the sense to appreciate Marx, a circumstance that further strengthens the right of the Russians to "take into their hands the direction of the destiny of humanity". Barghoorn recognizes the menace in this messianism but he believes that more stability in the world and more prosperity in the U.S.S.R. are better antidotes to this ideology than an equivalence of intolerance. One could quote with pleasure and profit from many other papers and particularly from Isaiah Berlin's brilliant and delightful essay on "Herzen and Bakunin on Individual Liberty". In this as in most of the other papers the writer's erudition is impressive but not ostentatious. One is pleased to find among the contributors not only scholars who are already well known in the field but a number of younger men of great promise.

Harold H. Fisher

San Francisco State College

The Origin of the Communist Autocracy: Political Opposition in the Soviet State, First Phase, 1917–1922. By Leonard Schapiro. Cambridge, Harvard University Press, 1955.—xv, 397 pp. $7.00.

This brilliant book is another example of the massive, impressive and creative scholarship characteristic of the finest British writers on the Soviet Union. Mr. Schapiro, a multi-linguist and a lawyer by training, has probed deeply into the available sources and skillfully traces the process by which a group of determined men, in a land decimated by war and enfeebled by privation, first seized power with the active support of militant sections of the working class (and the tacit acceptance or apathy of the peasant masses), and then destroyed *all* opposition without, and finally within, the Communist party. The nature, program, activities and fate of this opposition are systematically examined and analyzed.

The author rejects as too extreme the thesis which has the support of many American writers on Soviet affairs and is reflected, for example, in W. W. Rostow's *The Dynamics of Soviet Society*, that the history of the Soviet régime from its inception was motivated almost entirely by a naked power drive. While recognizing that the quest for power tended "to colour or obscure every other motive or action," Mr. Schapiro adds that "to ignore the passion for justice, for ultimate liberation of mankind, for the utopia of the future, which animated most if not all of the bolshevik leaders, is to do equal violence to truth."

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More emphatically and pervasively, however, the author's major quarrel is with the thesis expressed by certain British scholars, most notably Edward Hallett Carr, that the demise of the legal opposition to the Communist party "cannot fairly be laid at the door of one party. If it was true that the Bolshevik regime was not prepared after the first few months to tolerate an organized opposition, it was equally true that no opposition party was prepared to remain within legal limits." Mr. Schapiro agrees that the premise of dictatorship was certainly common to both sides in the struggle between the Reds and the Whites but a major portion of his study is devoted to establishing that such a premise bears no relation in fact to the case of Martov and the Mensheviks "whose policy was founded upon the need to 'remain within legal limits.' " The Mensheviks, he argues, "were not eliminated in 1921 because they were counter-revolutionary. They were described as counter-revolutionary to justify their elimination." And he finds Professor Carr's conclusion even less convincing when applied to the "Workers' Opposition", a group *within* the Communist party, which never challenged its monopoly of power or quarreled with its ends, but which disagreed only with the means by which these ends might be achieved.

It was Lenin who, according to the author, at the Tenth Congress of the Communist party in March 1921 made the fateful decision of proposing the outlawry of factions which laid the basis for ultimate rule by the one man who, through control of the party apparatus, could ensure both a majority at the top and obedience to central orders throughout the country. In so doing, Lenin missed the "chance of burying past enmities and of carrying the vast majority of the country with him in an attempt to build up ruined Russia on the basis of coöperation and legal order, and not of the dictatorship of an unpopular minority."

Mr. Schapiro is on strong ground when he maintains that the decision of Lenin to bar opposition in 1921 led logically to the destruction of every vestige of proletarian democracy—a danger that Lenin was surely beginning to recognize on the eve of his death when he called for the ouster of Stalin as General Secretary. But what is less certain is what, in the circumstances of March 1921—in the wake of a debilitating civil war, generalized want and destitution, the Kronstadt rebellion, and the disaffection of a majority of even the militant working class—would have been the consequences of liquidation of the Communist party monopoly of power. Isaac Deutscher, for one, is persuaded that the result could have been only "utter confusion followed by open counter-revolution" and "the undoing of the October Revolution. At the very least it would have encouraged the White Guards to try their luck once again and rise in arms."

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It is true that Mr. Schapiro makes a good case for the survival of the essentials of the proletarian revolution despite legalization of socialist opposition—but it is far from being a definitive one, if such is possible. Be that as it may, one thing seems certain: the failure to legalize opposition sounded the death knell of proletarian democracy in the U.S.S.R. Radek spoke prophetically when he said: "In voting for this resolution [in 1921, to bar factionalism], I feel that it can well be turned against us." And so it was!

Samuel Hendel

The City College

Selected Works. By Mao Tse-tung. Vol. I: *1926–1936*; Vol. II: *1937–1938*; Vol. III: *1939–1941.* New York, International Publishers, 1954, 1955.—336, 296, 260 pp. $3.00 each.

The "thought of Mao Tse-tung" has been the subject of required study in Communist China not only for the Communists but also for all those who are subject to communist thought control in one way or another. The Chinese Communists indeed do not call their leader's thought "Mao-ism"; they reserve the honor of the suffix for Marx, Lenin and Stalin. But they speak of Mao as the great exponent of Marxism-Leninism who has "creatively applied" and "deeply enriched" the communist principles. The publication of Mao's works is not only for domestic consumption but also for world propagation.

This authorized English translation of the *Selected Works* of Mao Tse-tung, to be completed in five volumes, is based on the four-volume Chinese edition, which was first published by an official committee in Peiping in 1952. The present three volumes cover the period from the revolutionary civil war in China in 1926 to the second phase of China's war of resistance against Japan in 1941. They contain Mao's important writings in this period, including his analysis of classes in Chinese society, his discussion of the problems of the national united front, his exposition of military tactics and strategy, his criticism of the strategies of China's revolutionary wars, and his definition of the tasks of the Chinese Communist party. Some of these essays, essential to the understanding of Mao's thought and the development of the party, are published here for the first time in the English language.

The present edition is a faithful translation of the Chinese version and, although it cannot be said to have reproduced the general effect of the author, it is conscientiously literal. The Chinese edition, however, has

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been subjected to extensive editing or revision, much of which is beyond the scope of verbal change. A comparison of some of the important essays with the earlier editions will show editorial tamperings of various kinds, including rewriting, deletion and insertion. While some of the rewriting aims at improving the style, much of it is done to bring the contents more in line with present official interpretations of the party. There is an attempt at playing down the importance of the peasantry in the communist revolution, as indicated in the deletion of those statements which assigned major credit to the peasants for the achievements of the bourgeois-democratic revolution. There is also a tendency to discredit the national *bourgeoisie*, which is now equated with the big *bourgeoisie* and charged with all the weaknesses of the latter. On the other hand, the rôle of the proletariat is now stressed. In "On New Democracy", for example, the new type of revolution is redefined as one which is "led", rather than "participated in or led" (as asserted in the earlier editions), by the proletariat.

All this indicates a general effort on the part of Mao, who personally assisted in the editing, to emphasize the socialist character of the Chinese communist movement. If he is attempting to bring his statements more in line with Marxism-Leninism, he is also reflecting changed conditions and new trends. The success of the Chinese Communists in consolidating their rule over the China mainland has rendered unnecessary the soft words which were formerly used in reference to the Kuomintang and the national *bourgeoisie*, while increasing socialization and industrialization of the country gradually relegate the peasantry to the secondary rôle.

Aimed primarily at the propagation of ideas, the *Selected Works* are not accurate historical records. Indeed, the author, taking full advantage of hindsight, has not hesitated to change those statements which reflect his past thinking but which have become embarrassing under changed circumstances. Scholars should be on their guard in using this edition. Whether they are concerned with the development of Mao's policies or the originality of his thought, they will be better rewarded if they consult earlier editions.

Nevertheless, the present edition, so far the most comprehensive collection of Mao's writings, will serve as a convenient reference for the general reader. Much misunderstanding about Chinese communism and Communist China could be avoided if one would read the *Selected Works* and read them carefully.

CHESTER C. TAN

NEW YORK UNIVERSITY

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Japan's Modern Century. By HUGH BORTON. New York, The Ronald Press Company, 1955.—xii, 524 pp. $7.00.

A readable, up-to-date history of modern Japan has been a long-felt need. Professor Borton now fills the need with this admirable volume. His long association with Japan and the Japanese, his rôle in the making of United States policy toward post-war Japan, his present position as Director of Columbia's East Asian Institute, all fit him for the job.

The book is well designed for any general briefing on Japan's modern transformation. Appropriately for Americans, it begins with the westward thrust of Manifest Destiny to the Pacific, which prompted Perry's expedition in 1853. It ends just a century later with the occupation of Japan and its immediate aftermath. The intervening years are filled with the dramatic tale of the opening of the island kingdom to Western intercourse; the creation of the Meiji state, 1868–89; expanding overseas empire, 1894–1915; the rise and eclipse of parliamentary government during the inter-war years; and the bid for leadership of East Asia which led finally down the road to Pearl Harbor.

In reappraising Japan's emergence as a modern state, the author's declared purpose is to answer two questions: "How did Japan get that way? Where is it likely to go?" Given the undeveloped state of the social sciences, it is no criticism to say that he hardly achieves these objectives. Indeed, this is historical writing of the familiar sort, which stays rather close to the narrative of events. The course of imperialism is detailed without much probing of its motivating impulses or political and economic results. In politics generally the emphasis is on historical narrative rather than a more analytical inquiry into the power structure of Japan or the special nature of group-leadership and decision-making patterns. For this very reason, no doubt, the story flows along in an easy, informal manner. Its principal focus is political history, where Borton's reputation is well known. Here it is packed with well-chosen detail, as in the story of the great debate among the feudal lords and their ministers over whether to end the policy of seclusion after 1850. Yet it retains a sense of proportion throughout, and never bogs down in particulars.

The concluding chapters on post-war Japan are in some respects the most interesting. For we have the testimony here of a scholar who played a key rôle in the Department of State as a planner and negotiator of policies respecting the Occupation and the subsequent treaty of peace. His judgments on the reforms of the Occupation are mixed. The land reform, the rise of trade unions, the new Constitution, the greater freedom of women—these changes will leave their mark, he thinks. Written

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off as failures are the purge, the war crimes trials, reparations, the *Zaibatsu* dissolution, and the educational reform in good part. So too are the Far Eastern Commission and the Allied Council for Japan, thanks to General MacArthur. The Supreme Commander tried to minimize the rôle of these two Allied bodies, and was largely successful.

Looking to the future, Borton sees Japan's prospects very much in terms of the international setting in which she now must live. To enable her to live, he concludes, America must help her find a new peaceful rôle in Asia, including some normalization of her trading and diplomatic relations with Communist China.

WILLIAM W. LOCKWOOD

PRINCETON UNIVERSITY

A History of South-East Asia. By D. G. E. HALL. New York, St Martin's Press, 1955.—xvi, 807 pp. $10.00.

Professor D. G. E. Hall of the University of London has made a real contribution toward a comprehensive understanding of the historical development of South-East Asia. Having an extensive background of years devoted to research and teaching in the area, he writes with clarity and authority. He attempts to provide reading both for the general public and for the specialist. This task is always difficult, if not usually impossible, but *A History of South-East Asia* is so well organized that certain parts can be omitted, depending upon the reader's background and purpose. The specialist, for instance, would be particularly interested in the author's hitherto unpublished research on Arakan, while the general reader might be more concerned with the description of developments in South-East Asia since the period of European territorial expansion.

On first impression the reviewer may not agree with Professor Hall's comment in the Preface: "The present work, large and detailed though it may appear to the reader unfamiliar with the subject, is a bare outline, perilously compressed and oversimplified in many parts." A volume of over 800 pages on a subject so little known as the history of South-East Asia is certainly more than a "bare outline". But after a careful reading of the book, the reviewer can appreciate the author's frank appraisal. Scholars have tended to neglect the history of South-East Asia, and, as a result, a perfunctory knowledge of the historical development of the area has led to a failure to recognize its rich background.

In a "select bibliography" the author in 27 pages has presented a comprehensive list of writings carefully organized on a country as well as a topical basis. This bibliography will be of particular value to the professor who is trying to organize a course in the history of South-East

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Asia. An appendix of dynastic lists along with governors and governors-general is helpful. Numerous illustrations and maps give further assistance to the reader. Professor Hall indicates in his study where various limitations exist in the knowledge of the area. This point is especially pertinent to developments in the pre-European era. However, it is encouraging to note that considerable research is now being done on the history of South-East Asia. The newly-won independence of most of the countries of the region, moreover, should give an impetus to far greater research on the part of the indigenous inhabitants on their own history.

Throughout the book Professor Hall's focus is on South-East Asia itself; the area is not treated as a mere adjunct to China, India, or the Western colonial Powers. At the same time he does not in his evaluation of historical development minimize the importance of outside influences. His history is divided into four time sequences: the pre-European era, the early period of European expansion, the era of European territorial growth, and the subsequent period characterized by nationalism and the challenge to European rule. It can be seen that, while South-East Asia has been an area into which outside forces have poured at different times from distant places with varied strength, the inhabitants of the region have developed their own way of life, adapting as they saw fit to the changing situations. This process has served to produce by the twentieth century a complexity well reflected in the contemporary international relations of the area.

The political scientist who reads the book might have desired a longer treatment of developments since 1945. The author devotes 28 pages to the subject. Events in the area since the surrender of Japan have certainly had a real impact on world affairs. But the purpose of the author as a historian is to stress the developments that have produced the present situation within South-East Asia, and in a volume, already massive, he confines himself to his chosen task.

Americans whose knowledge of the area has been largely restricted to the Philippines, and even here somewhat perfunctorily, will regret that Professor Hall has not woven into his study the historical development of the archipelago. Professor Brian Harrison of the University of Hong Kong in his *South-East Asia: A Short History* has included a consideration of the Philippines. It is becoming increasingly important that they should be understood within the context of South-East Asia. But no unchallenged definition of the boundaries of the area yet exists, and Professor Hall is exercising his rights as a scholar to include or exclude the Philippines in his study.

RUSSELL H. FIFIELD

UNIVERSITY OF MICHIGAN

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The Great Experiment: An Introduction to the History of the American People. By FRANK THISTLETHWAITE. New York, Cambridge University Press, 1955.—xiv, 335 pp. $5.00.

Written by an Englishman for British undergraduates, this brief introduction to American history contains little that is new to the specialist. Yet its form, content and judgments distinguish it favorably from conventional works designed for college students on this side of the Atlantic.

Thistlethwaite's purpose is to relate American development to that of Western Europe, especially of Great Britain, but also to point out the differences between Americans and Europeans. American writers have attempted similar tasks and have made familiar the importance of continuing migration—this author's particular emphasis—as a connecting link between Old World and New and as a primary cause of dissimilarities between them. The "uprooted" Europeans created an American society which remained culturally unresolved, heterogeneous, a "caravan on the move" even after the frontier closed and the Statue of Liberty turned its back.

Even if these themes lack originality, they gain depth and clarity from the persistence with which they are pursued. It is customary to describe waves of immigration, but it is this author's particular distinction to write a general survey in which Europe and its migrants form a continuous and integral part of American development, not an exotic footnote. In addition, the distinctiveness of America is made much clearer by the use of comparison. For example, one gets a fuller sense of American capitalism because it is placed alongside its British counterpart, whose special characteristics are also exposed to view.

The ease with which the author handles economic, even statistical material and his skill in presenting social history—both quantitatively and qualitatively weak in our own literature—are among the book's primary attractions. The descriptive material is placed in a comprehensive framework which is analytical in conception but which is presented without recourse to the social scientist's painful dialect. This work incorporates a sociologist's thesis, an economist's training, a historian's subject matter, and an Englishman's traditional gift of expression. It is a happy combination.

The author's approach leads to a topical organization which lends some freshness even to his treatment of staple textbook ingredients. For example, "The Conquest of the Greater West" covers material from 1845 to 1907 without the distraction of an exaggerated pause for the Civil War. The story of industrial growth forms a continuous narrative from 1850 to 1914.

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Here, then, is no "presidential synthesis". In fact, here are very few presidents or officeholders of any description. The references to political development seem less than minimal, although the number may be greater than it appears because the author's orientation results in their being scattered and subordinated to the social and economic analysis. This presents no difficulty for the well-informed, but one wonders whether there are enough facts to suggest the substance of American politics to a British undergraduate or even an American one. Such a conclusion as "the politics of the American mobile society remain comparatively free from institutional hardening" appears to require more than the slender foundation the author supplies.

One regrets to say that there are a number of errors of fact. To cite the Hawley-Smoot Tariff as an example of protectionism in 1920 (p. 280) may be relatively harmless. But giving Calhoun credit for helping to pass the Compromise of 1850 (p. 164) mars the sense of history. Such mistakes seem unnecessary when viewed in the light of the firm factual basis upon which the synthesis rests.

Naïvely perhaps, this reader was somewhat disappointed to find the foreign perspective so seldom apparent in the interpretation of matters in scholarly dispute. No doubt it is explained at least partly by the author's residence in American universities and his dependence, shared by all, upon monographs produced largely by scholars in this country. The latter seems especially true for the years down to the Civil War. Thistlethwaite writes with more confidence and independence about the more recent period.

It is in the treatment and evaluation of recent social trends that the author's beliefs become more conspicuous. He takes issue with those who describe the bankruptcy of the American political tradition and the sterility of a "single undifferentiated culture" of white-collar robots. Essentially a friendly observer, Thistlethwaite emphasizes the continuity of American development, in particular the way in which social mobility has been maintained and the individual has remained both the end and the means of a successful open society. He is aware of the pressures toward conformity and uncertain of the appropriateness of American ideals, attitudes and habits for solving the complex problems of the present. But the purpose of his book is to record not a failure but a "Great Experiment" which has achieved much and which continues to offer hope for the future.

Donald Sheehan

Smith College

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Edmund Burke, New York Agent, with His Letters to the New York Assembly and Intimate Correspondence with Charles O'Hara, 1761–1776. By Ross J. S. Hoffman. Philadelphia, The American Philosophical Society, 1956.—xii, 632 pp. $6.50.

New and important discoveries have followed the removal in 1949 of the papers of Burke, Rockingham and Fitzwilliam from Wentworth Woodhouse to the Sheffield Central Library. Professor Hoffman has printed Burke's letters as agent for New York 1771-1775 and his private correspondence with a scarcely suspected intimate, Charles O'Hara, 1761–1776. These in all represent a major addition to our knowledge of Burke and his times. They throw a flood of light upon the character and the thought of that eminent statesman. The letters are admirably edited. They are introduced by a long (193 pages) and valuable reappraisal of Burke's politics and particularly of his attitude to the American colonies as these are illuminated by the new material now available. His reputation with contemporary Americans, his activities in Parliament during the disputes with the colonists, his work for and relation with New York, and his view of empire and of the necessities and expediencies of statesmanship may now be much more fully and accurately comprehended.

Professor Hoffman's examination of the circumstances under which Burke was offered and accepted the New York agency, and his description of his relations with the Crugers and their connections with Bristol during his winning of that constituency, are now required reading for biographers of this famous M.P. Some disingenuousness in the terms and reservations—not always stated—with which Burke accepts a salary and interprets his duties may be discovered. But in no sense is the Editor and annotator a debunker. His concern throughout is to relate and to explain Burke's political philosophy and the character and situation which motivated its formation.

Professor Hoffman maintains that Burke had no natural sympathy with the Americans. He was less interested even during some critical periods in their affairs than for example in the policies and projects of the East India Company. He emphasizes Burke's serene and confident imperialism and shows how both early and late he worked for a dependency of the prosperity of all parts of the Empire upon British dominion. He never relinquished a conviction that it was legal to tax the Americans in the London Parliament. Indeed during the brief term in office of the Rockingham administration in which Burke acted as secretary to the first minister, extensive reforms of the revenue service designed to increase productivity were planned which may have had more influence than

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commonly appreciated upon Townshend's ill-fated measures. But Burke surveyed the whole political landscape with considerable understanding of the realities and possibilities of the exercise of political power. He was convinced by events that the new policies were unworkable. He was therefore prepared for concession and was much opposed to too clear a definition of terms and principles. He liked silence and discreet decisions reached in the "closet" out of the hubbub of controversy.

In a letter to O'Hara dated 26 July 1775 he wrote:

> How could you imagine I had in my thoughts anything of the theoretical separation of a power of taxing from legislation? I have no opinion about it. Those things depend on conventions real or understood, upon practice, accident, the humour or genius of those who govern or are governed, and may be, as they are, modified to infinity. . . . The growth of the colonies ought to have taught Parliament to have set bounds to the exercise of its own power. I never ask what government may do in *theory*, except *theory* be the object; when one talks of *practice*, they must act according to the circumstances (p. 589).

Burke wished to restore the ancient harmony of the Empire. He was prepared for the necessary retractions and modifications. His statesmanship failed most notably perhaps to appreciate at their proper importance, the passionately held beliefs not only of colleagues like Chatham and Wilkes at home, but of those overseas who reiterated their claim to the rights and privileges which were inalienably their English heritage.

Professor Hoffman's signal service to us lies in his admirable clarification of Burke's politics. But his book has many virtues, not the least the extraordinary competence with which its immediate story is related to the complexities of the general history of that tumultuous and critical age. In those political tangles Burke was not indeed always olympian or serene as we are here gently and humorously reminded. This volume is exciting, and a most important and significant contribution to our knowledge of the eighteenth-century Atlantic community.

CAROLINE ROBBINS

BRYN MAWR COLLEGE

Middle-Class Democracy and the Revolution in Massachusetts, 1691–1780. By ROBERT E. BROWN. Published for the American Historical Association, by Cornell University Press, Ithaca, 1955.—viii, 458 pp. $6.00.

One of the common misconceptions of the secondary writers on the history of Massachusetts has been that in 1775 there was a clear-cut political revolution. To refute this idea, Professor Brown has addressed

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himself to a thorough examination of the significance of the franchise qualifications in the Province. Those who have worked in the town records of the period have long known that in provincial Massachusetts there was very nearly universal manhood suffrage, but they have turned back from the arithmetical task necessary to prove this fact because of the difficulties presented by fluctuating paper currency and the dubious meaning of such terms as "as money". Brown has assumed the task, has done his research with wonderful patience, and has amply demonstrated his point in regard to suffrage. One wishes that he had worked in enough town records to clear up some other problems such as the occasional exercise of the franchise by widows.

Unfortunately Dr. Brown has gone further and has, without a sufficiently thorough exploration of the general literature, tried to restate the social and political history of the Province. In his eagerness to prove his point he has so many times misinterpreted the meaning of such historians as Carl Bridenbaugh and the elder Schlesinger, that one hesitates to try to sum up his theory. It appears to me, however, that he holds that in Massachusetts between 1691 and 1780 there were two consistent political forces which he calls "the democratic party" and "the British". In the former he lumps such sometimes conflicting factors as political democracy, social democracy, and the radical political group. By listing all of the clashes between the interests of the Province and those of the empire chronologically in two chapters which carry the title "Perpetual Discordance", he gives the impression of a continuity of political unrest which did not in fact exist. With the exception of Sam Adams, every Whig whom he mentions was at one time or another in the "British" camp, and every Tory at one time or another, a member of his "democratic party". Had he spent more time tracing the shifting views of individuals, he would have come to a better understanding of the situation. His statement (p. 342) that Robert Treat Paine of Taunton was named to the Mandamus Council is indicative of more than a trick of memory; such errors would not have occurred had he used sources like the Paine Mss., which no writer on the politics of provincial Massachusetts can safely ignore. Similarly when he says that "the well-known Boston minister" Charles Chauncy was elected to the Provincial Council (p. 369) he is showing a lack of familiarity with the life of one of the leaders of his "democratic party" and incredible unawareness of the axiom of Massachusetts democracy of those days that no clergyman could hold such elective office.

Dr. Brown's selection of evidence gives his attacks on the older historians a devastating air which is misleading. Thus to demonstrate the

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absence of a political revolution he shows the continuity in personnel between the Council of 1774 and that of 1775. Actually the political revolution began with the election of councilors in May 1766, and proceeded for eight years. Although it was tradition that councilors should be reëlected until they died, and the method was rigged to obtain that end, among the thirty-six councilors of 1774 there were only three survivors of the Council of 1765. A similar revolution in the judiciary proceeded much more swiftly. A striking contrast is afforded by the lack of a revolution at the time of the so-called "overthrow of the theocracy" at the beginning of the provincial period. Then there was almost no change in the personnel of the upper branch of the legislature.

Throughout this book Sam Adams appears as the champion of democracy who "saw eye to eye" with Abraham Lincoln on that subject. In view of Adams' use of the techniques of mob violence, of terror to stifle criticism, and of the reiterated lie, to obtain his political ends, the comparison with Lincoln is hardly apt. On the subject of Adams, Brown treats John C. Miller much more roughly than circumstances justify. In the worst instance (pp. 222n–223n) Miller's reference is wrong, but his quotation is correct, and Dr. Brown should have found it in one of the books in his bibliography. Perhaps the most unfortunate aspect of this volume is that it will give the impression that all of the older works on the area and period are demolished. Their authors have indeed been careless in using the words "revolution" and "democracy", but most of their works are otherwise sound. Had it been possible for Dr. Brown to have seen Bridenbaugh's *Cities in Revolt* before he published, much of this conflict could have been avoided.

The thesis that colonial Massachusetts was a solid middle-class democracy is sound, but Dr. Brown missed the fact that the chief means of government at the provincial level was the election of gentlemen to carry on the ill-paid and unpleasant burdens of administration. This was their social obligation, and for fulfilling it the common folk accorded them social respect. The discarding of this group was no political revolution, but it did involve a change in social attitude so great that those exiles who returned after the war found it difficult to find traces of the world in which they had grown up.

Clifford K. Shipton

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Il Pensiero Politico degli Autori del "Federalist". By ALDO GAROSCI. Milan, Edizioni di Comunità, 1954.—438 pp. Lire 2200.

Il Federalista. By ALEXANDER HAMILTON, JOHN JAY, JAMES MADISON. Translated by Bianca Maria Tedeschini Lalli. Introduction by Gaspare Ambrosini, with appendixes by Guglielomo Negri and Mario d'Addio. Pisa, Nistri-Lischi, 1955.—cxxxvi, 682 pp. Lire 1600.

American studies outside the English-speaking world usually have centered on the field of literature, to the neglect of history and politics. Important contributions to the study of American political thought have been particularly rare. Two recent volumes from Italy present a notable addition to this small group and well merit the attention of American scholars.

Professor Garosci, who has written widely on political theory and contemporary politics, with his work *The Political Thought of the Authors of the "Federalist"* has for the first time ventured into the field of American history and political thought, and he has done it with remarkable success. He has combined a general introduction, of necessity unoriginal but skillfully presented, into the constitutional and political history of eighteenth-century America with a fairly specific and closely reasoned analysis of the political thought of Hamilton, Madison and Jay. While the shortcomings of the book are few (there is a certain sloppiness in the dating of some historical events), it has considerable merits.

Above all, Garosci has, for the first time, given unity to a subject matter which has received frequent, but always separate and scattered attention. His is, surprising as it sounds, the first monograph in book form devoted to all authors of the *Federalist*. Thus, for instance, John Jay for the first time (with the exception of Cecilia Kenyon's important Radcliffe dissertation on "Conceptions of Human Nature in American Political Thought 1630–1826") finds a respectable place in a study of political thought. His unique "pre-romantic" sketch of American nationhood in *Federalist* No. II, and his dignified and truly "conservative" refusal to accept Hamilton's frantic appeal in 1800 to break constitutional procedure, are rightly stressed. More important, the *Federalist* is not viewed in a vacuum, but the political thought of all three authors in the decade preceding the writing of the *Federalist*, as well as in the decade following it, is examined and illustrated with ample quotations.

Inevitably, Hamilton occupies the front stage; it is regrettable, though, that his dazzling figure has been allowed to obscure the true greatness

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of Madison's thought. Garosci is at his best in bringing out several of Hamilton's most important traits: the disinterestedness of this "theoretician of interests"; the profoundly political and in more than one respect Machiavellian nature of a mind so much devoted to the manipulation of economic matters; his concern for functional government rather than checks and balances; most important, perhaps, his basically mechanistic psychology and philosophy, which prevented him from becoming anything like an American Burke. Garosci's orginal analysis of Hamilton's later writings prompted by the challenge of the French Revolution stresses their theoretically and philosophically unrewarding and disappointing character, because of the absorption of Hamilton's mind with foreign affairs, propaganda and personal attacks.

Garosci's general conclusions emerge from his critique of two interpretations of the *Federalist* enjoying wide currency: Beard's economic interpretation of No. X is refuted along lines essentially parallel to those pursued in this country by B. F. Wright and Douglass Adair. But Garosci vindicates the genuineness and universal significance of the *Federalist* as a work of political theory against the historicist interpretation set forth in Max Beloff's introduction to the British edition of the *Federalist*. He takes issue with Beloff's criticism that the authors of the *Federalist* overlooked the influence of the historical process on political ideas, that they thought in "absolute terms". But, Garosci emphatically and rightly points out—and his words take on added significance coming from a country which has been imbued by historicist thought more deeply than any other—"This is true for any writer who writes political philosophy and not history. Any historicist who poses theoretical problems . . . [must formulate] his response in general terms, valid for any period. . . . Political theory cannot have the flexibility of history; for if an instrument is supposed to measure something, it must not be deformed by the objects it measures" (pp. 320–21).

The Italian edition of the *Federalist* is not only the first edition of this work ever made in Italian. It is also the handsomest edition of the *Federalist* anywhere, in any language. It is beautifully printed, lavishly endowed with illustrations (from Benjamin Franklin to Abraham Lincoln), and it has the most elaborate scholarly apparatus of any modern edition, consisting of an introduction by G. Ambrosini, Professor of Constitutional Law at the University of Rome and recently elected a justice of Italy's Supreme Court, 14 pages of bibliography, and an essay on the *Federalist* and the defeat of the natural rights philosophy.

After all this is said with due (and unfeigned) enthusiasm, it must be reported, though, that the contents of this scholarly apparatus do not

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quite live up to expectations. The introduction by Professor Ambrosini is a basic and very concise survey of the main constitutional developments of the American Revolution and up to the adoption of the Constitution, as well as a lucid analysis of the Constitution itself, culminating in somewhat too undiscriminating praise of judicial review. His account of the genesis and the doctrine of the *Federalist*, however, is somewhat disappointing, particularly his failure to make any distinctions between Hamilton's and Madison's thought. Also, it is curious as well as amusing to see that this introduction, in ignorance of Douglass Adair's findings on the authorship of the disputed papers of the *Federalist*, concludes that twelve doubtful essays remain, "the material for each of which was probably prepared by both of them, and the definitive editing done by one or the other", while a few hundred pages later the bibliographer Mr. Negri gives a fairly accurate account of Adair's thesis. Unfortunately, in the actual presentation of the text, critical annotations have been omitted, and the "doubtful" essays remain as doubtful as ever. (Garosci, on the other hand, has accepted Adair's attribution.) It is also regrettable that the fairly comprehensive bibliography has missed the articles of more recent date by A. T. Mason and above all by B. F. Wright.

The essay by Dr. d'Addio on "The *Federalist* and the Defeat of the Political Natural-Rights School" is the *geistesgeschichtlich* most ambitious attempt among the essays under review, but it does not succeed in its task. D'Addio, steeped in the closed universe of Italian historicism, has not heeded Garosci's warning not to claim an "incipient historicism" for the ideas of the *Federalist*. Thus he juxtaposes the "concrete reality", "historicity", "organic reality", "positivity" of the *Federalist's* analysis of human nature with the allegedly "panjuristic" and "passionless" conception of human nature by the natural rights philosophy. Three errors, I believe, vitiate this thesis. First, the ideal-type of the natural rights philosophy presented is a straw man with little resemblance to historical reality. The natural rights philosophers' concern with the juristic problem of legitimacy did not prevent them from having quite varied and very "concrete" views on human nature. Second, Hamilton's and Madison's view of man was very much a view of "man in general", and in this they were close to Machiavelli, Sidney, Hobbes, Locke, and Montesquieu! To place the *Federalist* in a tradition which, beyond Hume, points as far as Machiavelli's *Discourses* would have had greater significance than a discussion of critics of contractualism like Shaftesbury! Third, the obligation of both Madison and Hamilton to the conceptual scheme of the contractualism of the natural rights school is considerable,

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and is more than a merely propagandistic or tactical device, as d'Addio claims; both were, in this respect, closer to Blackstone than to Hume.

These remarks ought not by any means to obscure the fact that there is ample reason for rejoicing that the greatest classic of American political literature has been made available to the reading public of a nation with an ancient and important political tradition. Both volumes under review have clearly been labors of love, and Mr. Garosci's book provides indeed an excellent guide to the new edition. We can only share Garosci's hope that there will be brought closer to the Italian mind "a political tradition of high intellectual value, the assimilation of which on the part of Europeans might produce results not dissimilar to those brought about for the best minds of the continent in the last century by the study of the institutions and liberties of England."

Gerald Stourzh

The University of Chicago

Labor Disputes and Their Settlement. By Kurt Braun. Baltimore, The Johns Hopkins Press, 1955.—xvi, 343 pp. $6.00.

Dr. Braun's work is one of several recent studies of the nature of industrial conflict and of its prevention or settlement. It is fortunate that he has expanded and substantially revised his earlier study, *The Settlement of Industrial Disputes*, published in 1944, since this was influenced by the wartime climate of industrial relations. Labor-management relations have developed to such a degree in the post-war decade that a reëvaluation of procedures for the settlement of disputes is an obvious necessity. Dr. Braun provides a clear, systematic and relatively current analysis of the leading policies and devices which are available in the United States for the settlement of disputes, together with the major contentions by labor, management and government officials regarding their efficacy. He provides a full description of the experience with mediation, but fails to provide in like measure for arbitration and industrial courts.

The author is constantly aware of the broad principles and objectives which devices for the settling of disputes must serve in a free and democratic society. A free economy, as he points out, may lay down some of the rules of the economic game, based primarily on preservation of the public interest and of the society, but the detailed actions and the play itself are left to the private parties. The problem of striking a balance between complete freedom and complete control is always a difficult one. This is particularly true in labor-management relations

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where conflict often becomes overt. The problem of distinguishing between essential and nonessential services is also complex and changing—the national-emergency proneness of strikes in such industries as railroads, steel and coal may fluctuate with economic conditions, and the restructuring of collective bargaining in other industries may alter the impact of future strikes in these.

Simplicity and flexibility in mediation procedures are stressed by the author. His evaluation of the complications which have developed where there were several mediation agencies with overlapping jurisdictions is particularly useful in the scrutiny of recent proposals to establish a separate agency to handle maritime labor disputes. His analysis of the shortcomings of fact-finding boards, and particularly of the nonrecommending boards of inquiry under the Taft-Hartley Act, suggests the need for a new evaluation of the possibilities of such boards.

Dr. Braun develops a theoretical framework of arbitration systems based on broad experience, rather than a systematic analysis of some of the recent experiences with private and public arbitration systems. Although calling attention to the accelerating development of so-called "judge-made" industrial relations law through arbitration to supplement the "statutory law" of the industry as laid down in collective agreements, he does not provide any real treatment of the spirit and structure of the impartial umpire systems that have been developing in major American industries. Similarly, evaluation of experience with the arbitration statutes that have burgeoned at the state level in recent years is lacking.

Although providing a brief description of the German labor court system, Dr. Braun does not specifically argue for it. The values which may be derived from applying such a system in the United States are not clear, for the author does not evaluate the climate of labor-management relations out of which these developed in Germany against the American environment. Individual-company and local-plant bargaining in this country would appear to be one major difference. A second, as the author correctly points out, is the relatively successful operation of private conciliation and arbitration. To entrust the determination of disputes over contract rights to the courts might serve only as a first step in legalistic formalization of industrial relations. This should be guarded against according to the recent studies in this field.

JOSEPH P. GOLDBERG

WASHINGTON, D. C.

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The Crisis of the Early Italian Renaissance: Civic Humanism and Republican Liberty in an Age of Classicism and Tyranny. By Hans Baron. Princeton, Princeton University Press, 1955.—2 vols. xxix, x, 656 pp. $10.00.

The central contention of this thoughtful, original and remarkably solid monograph is that the tone of humanistic culture in Renaissance Florence was decisively influenced by the political crisis of the years 1400–1402. In those years the republic of Florence stood, finally, alone against the great duke of Milan, Giangaleazzo Visconti, apparently the last obstacle to his becoming absolute master of northern and central Italy. The bracing experience of that lonely preëminence, Dr. Baron argues, and the stimulus to civic pride resultant from the city's unexpected triumph when the duke died in the midst of his victories, gave a new dimension to the way Florentine scholars understood the classics. Their admiration shifted from imperial to republican Rome, and their ethical doctrine from an exaltation of the retired and contemplative life to an insistence on the importance of civic virtues and patriotic service.

That such a shift did occur seems, on the evidence, indisputable. That, in consequence, important Florentine humanists placed an increasing emphasis on civic responsibilities and republican liberty at exactly the time that Florence was assuming the political leadership of the free city states of Italy and the cultural leadership of the whole peninsula seems equally clear, though it is a fact too often lost sight of in conventional generalizations about the ties between Renaissance tyrants and classical scholarship. That the shift occurred with dramatic suddenness as a result of the experience of 1402, and that the new passion for municipal and individual liberty which then arose was deepened and confirmed as subsequent threats to the liberties of Italy were met and blocked by Florence, is a more novel interpretation.

Establishing it involves re-dating, or dating more precisely, a number of literary works illustrative of the change. Consequently, the exposition of the interplay of ideas and events which produced the new civic humanism has to be conducted through a chain of investigations of the dates and relationships of a group of compositions, some famous, some obscure. Inevitably, acute analyses of the interconnections of ideas yield, at times, to the minutiae of literary biography, paleography and classical scholarship. Judgment on such matters is beyond the scope of this review, though the reviewer may venture to say that he was always fascinated, usually persuaded and, about the dating of Leonardo Bruni's major contributions, thoroughly convinced. What is more important is that

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these sometimes intricate arguments are no mere scholar's game of piling conjecture on top of hypothesis in a house of cards which a breath could topple. Each has its own sound methodological base and, though they do reinforce each other, the complex structure depends on no single building block. It would be quite possible to doubt any of the precise dates ascribed and still accept the total argument.

The most immediately impressive thing about this book is its weight of scholarship. Clearly, this is the harvest of many years' labor. The second volume, more than two hundred and fifty pages, is entirely taken up by appendixes and voluminous, compact, carefully chosen notes. Even so, really complete documentation requires recourse to some of Baron's earlier articles, the results of which are merely summarized, and to a companion volume, *Humanistic and Political Literature in Florence and Venice at the Beginning of the Quattrocento* (Cambridge, 1955), which explores in detail a group of related problems. But it would be a pity if its elaborate and ingenious scholarship confined this book to the attention of specialists. Baron's interpretation casts a fresh and challenging light on everything we know about fifteenth-century Florence, about the Italian Renaissance, and therefore about one of the still vital roots of Western culture. It does more. It confidently asserts a positive relationship between political freedom and cultural creativity and that of the age, of all the great creative ages, of which such connection has been most often denied. Anyone interested in the Western tradition, or in the relation between political institutions and cultural change, will have to cope with this important book.

GARRETT MATTINGLY

COLUMBIA UNIVERSITY

Mainsprings of the German Revival. By HENRY C. WALLICH. New Haven, Yale University Press; London, Oxford University Press, 1955.—xi, 401 pp. $4.50.

In Professor Wallich's words this book "is an attempt to come to grips with the 'German miracle' "—and a very successful attempt it is. It is the first systematic account of post-war Western Germany. The author reduces the German miracle to its proper economic and social dimensions and traces the various factors which provide the rational explanation of German revival. There is nothing miraculous in any one of the specific factors which sparked German recovery; it is the concatenation of the various factors in proper time and space that constitutes the real German miracle.

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The most surprising aspect of German recovery is that the very factors which in the immediate post-war era loomed so ominously on the German horizon have contributed most to the subsequent economic recovery. Thus the East-West division, the cold war, and more particularly the enduring separation of Germany into Western and Eastern Zones which was generally expected to bring about disastrous consequences for Germany turned out to be blessings in disguise. The East-West conflict converted Germany from a defeated enemy into a potential ally and turned the early attitude of Allied antagonism or, at best, of cold indifference to one of active financial support and increasing friendship. The division left Western Germany with more than its proportionate share in industrial capacity particularly in producers' goods—the most crucial area in economic recovery. The loss of the East German breadbasket which figured so much in the pessimistic forecasts proved no loss at all; on the contrary, instead of buying food in the heavily protected German market, Western Germany was given access to a cheaper source of food supplies abroad. The influx of over eight million German refugees and expellees from the satellite states and lost territories, which for a short time enormously aggravated a near disastrous situation in the early post-war years, proved to be a source of economic strength; it added millions of skilled and unskilled workers to the labor supply—workers, who because they lost everything were under a compelling urge to work and work hard. The very destruction wrought by the war—tragic as it was—has not been an unallayed loss. First, it provided the Germans with a most modern up-to-date industrial plant. Secondly, the need to replace lost belongings and to replenish the necessities and amenities stimulated the German worker to work hard and spend fast—twin essentials to the rapid economic progress. Likewise, the Allied occupation of Germany, while a severe blow to national pride, proved a boon to economic recovery. It offered Germany political stability which proved most conducive to sustained concentration on economic recovery—in marked contrast to the political convulsions which marked the early years of the Weimar Republic. Moreover, the ban of production of war goods permitted German industry to concentrate on civilian production and take advantage of the Allied preoccupation with the production of armaments. Even the profound spiritual fatigue and ideological vacuum which characterized post-war Germany, while not without their potential danger, have favored economic recovery by encouraging the concentrated pursuit of immediate material aims.

These somewhat fortuitous factors were powerfully aided by the pursuit of effective economic policies: the vigorous pursuit of currency

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stabilization and increasing reliance on the "free" market in the conduct of economic affairs; the institution of fiscal policies favoring investment; the effective use of substantial American financial aid; and, last but not least, the hard and sustained effort of German workers which, combined with a remarkably restrained wage policy of organized labor, particularly in the early crucial years of recovery, swelled profits which provided the major source of financing in post-war German economy. This very competent and well-written study should contribute greatly to the understanding of post-war Germany.

NATHAN REICH

HUNTER COLLEGE

Francisco I. Madero: Apostle of Mexican Democracy. By STANLEY R. ROSS. New York, Columbia University Press, 1955.—xii, 378 pp. $5.50.

Although the public career of Francisco I. Madero was a short one, lasting only about half a dozen years, in that brief period he set afoot the most significant social and economic upheaval of our time in the Western Hemisphere—the Mexican Revolution. Mr. Ross has made an interesting attempt in the book under review to assess Madero's rôle in the outbreak of the Revolution. The author has decided views about his hero. Although not unaware of Madero's weaknesses, he is frankly an admirer of the man about whom he is writing.

One of the criticisms which is most frequently made of Madero is that he was unconscious of the social issues in the Mexico of his time. Ross does not agree with this interpretation. He loses no opportunity to point out instances in which Madero showed an interest in the country's fundamental social and economic problem, agrarian reform. He discusses the steps taken while Madero was president to reclaim lands for the government which had been alienated illegally or under conditions which had not been fulfilled by those who had received it. Finally, Ross argues that, just before Madero's assassination, he was about to launch a program of widespread reform, including a serious beginning at the job of redistributing the country's arable land.

Madero was not the type that one would expect to become the leader of a revolution. He was the scion of a wealthy landowning family. He had virtually no political experience until he undertook to lead the movement to get rid of the dictatorship of Porfirio Diaz. He was an eccentric and his enemies called him a faddist. However, it was this slightly built, unobtrusive man who set in motion the chain of events which is still in progress in Mexico. Mr. Ross's study gives us most,

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if not all, of the clues to Madero's remarkable and meteoric rise to national leadership.

He was, first and foremost, a democrat—as the subtitle of the volume under consideration indicates. A relatively well-traveled man, Madero felt that Mexico should follow in the footsteps of the democratic nations, and most particularly the United States. Furthermore, he had the family status and wealth to allow him to assume leadership of the widespread forces of restlessness which were developing during the last decade of Diaz' domination of Mexico. Madero hesitated to lead a revolution against Diaz until he was convinced that the dictator would not agree to end his régime without violence. Throughout his career, Madero remained convinced that he should conduct himself as a democrat and he took for granted that others would do the same. This was indeed his undoing.

Madero's virtues were also his defects as a politician in the Mexico of his day, as Mr. Ross makes clear. Convinced that democracy could not be established without the reconciliation of the two factions into which the country had been irrevocably divided by the conflict with Diaz, he agreed to the virtual dissolution of the rebel military forces which had put him in the presidency. Thus he came to depend almost entirely on the forces of the Federal Army, which were still dominated by the philosophy and personalities of the Diaz régime.

Madero was too trustful of his associates in the coalition government which he established upon assuming the presidency. This was vividly shown during the final tragic days of his régime, when he was betrayed by those upon whom he relied most. Victoriano Huerta, whom Madero named to command his armed forces against an attempted rebellion, finally overthrew the president, and, as Mr. Ross indicates, may well have been implicated in his assassination.

The author has given us a very readable book which should have popular appeal considerably beyond the range of those specially interested in the problems of Mexico.

ROBERT J. ALEXANDER

RUTGERS UNIVERSITY

The Gold Coast in Transition. By DAVID E. APTER. Princeton, Princeton University Press, 1955.—xiii, 355 pp. $5.00.

Dr. Apter's book is a substantial study of what is perhaps the central problem in colonial Africa today and, in his own words, the author has "sought to examine rather than to judge."

He deals with the process of transfer of the Western political system

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to the Gold Coast and with the effect of institutional transfer on the social organization of this African territory. At varying rates of speed this same process is taking place everywhere in colonial Africa, according to the differing long-range concepts of the colonial Powers. While each mother country is trying to impress upon its colonies the stamp of its own particular political institutions, the work of grafting a parliamentary form onto a traditional political structure has gone further in the Gold Coast than anywhere else in West Africa. But in their preoccupation with the task of meeting the demands of colonial nationalism, the local administrations are too busy (and often unwilling) to take a long look at the effect on colonial peoples of their efforts to establish modern democratic organs modeled on those at home. The assumption is automatically made that Western institutions are suitable to an African environment—indeed, even to question this publicly is to imply a lack of faith in the efficacy of European-modeled parliamentary government to solve all the social problems of an underdeveloped area. But the new institutions are not being erected in a political vacuum; there is still in most areas a developed political structure under natural rulers to which a pattern of loyalty exists. The effectiveness of conciliar organs of government depends on the degree to which the traditional political institutions can be integrated into the new pattern.

Dr. Apter seeks to investigate the adjustment of the individual Gold Coaster to the complex new social rôles which he is now expected to play, and the stresses on the individual which result from the new institutional framework in which he is placed. Torn by conflicting loyalties to the traditional authority of his tribe and to the new authority represented by an elected government in which he is expected to play a rôle, the individual is forced to make painful adjustments in his own value system. In the Gold Coast these have been made easier by the appearance of Kwame Nkrumah as the charismatic leader to whose person some of the old loyalty to the natural ruler may be transferred. Through the operation of the political party which Nkrumah controls, the author sees the best possibility for the legitimization of the authority of the new parliamentary structure. In this connection, Dr. Apter poses a most challenging hypothesis: "Are the functions of charisma essential for the successful transfer of alien political structures to the larger affiliational ties of an integrated national society?" The course of events in colonial and newly independent areas over the past decade would tend to lend support to this hypothesis; if it can be accepted, its implications for future developments in other colonies are of vital importance to the administrator as well as to the political scientist.

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The author bases his research scheme on a modified version of some of the theories of social structure and organization advanced by Weber and, more recently, by Parsons. While undoubtedly of value as tools in analyzing the changes taking place in colonial areas at the moment, it is suggested that, shorn of their polysyllabic construction, many of these analytical concepts do not lead to conclusions which are strikingly new. Dr. Apter's "peculiar" (as he describes it) treatment of indirect rule leads him to a criticism of Lord Lugard's system which has long been accepted by British writers—that is, that in its support of natural rulers indirect rule failed to leave any place in the political structure where the leadership capabilities of the younger educated groups might be effectively used.

Dr. Apter's use of a somewhat cumbersome methodological framework in no way reduces the over-all value of his study. The profound impact of conciliar government on colonial social structure is a neglected problem which should demand the attention of social scientists of all disciplines; the author is to be complimented on the original contribution his book makes to this problem.

L. Gray Cowan

Columbia University

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EMILIO DEL TORO

The Honorable Emilio del Toro, former Chief Justice of the Supreme Court of Puerto Rico and long an Honorary Member of the Academy of Political Science, died at his home in San Juan on November 10, 1955, at the age of seventy-nine. He was admitted to the bar of Puerto Rico in 1898, the year that Spanish authority was overthrown in his native island. Trained in Spanish law at the Royal University of Havana, he became thoroughly acquainted with American legal institutions; and throughout his long and eminent professional career he played a notable part in adjusting the administration of justice in Puerto Rico to American concepts and practices. This he did as District Attorney and District Judge, and, most conspicuously, as Associate Justice (beginning in 1906) and Chief Justice (beginning in 1922) of the Supreme Court. A thoroughly patriotic Puerto Rican, who was active throughout his life in civic affairs, he was a distinguished delegate to the Pan-American Congress at Buenos Aires in 1936 and to that at Lima in 1938. A great Puerto Rican, he has been fittingly described as "one of the finest of Americans", and his death was a heavy loss to an entire hemisphere.

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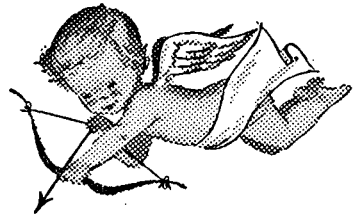

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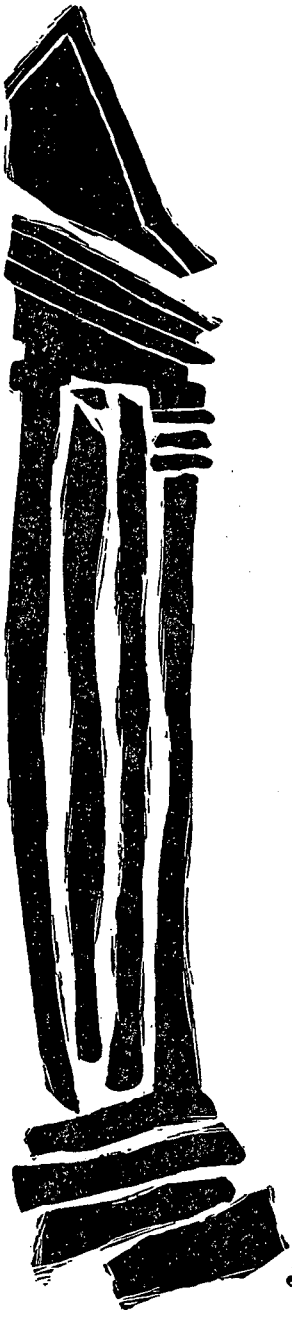

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